



NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

Nottinghamshire and City of Nottingham
Fire and Rescue Authority

AMENDMENT TO TERMS OF REFERENCE – PERSONNEL COMMITTEE

Report of the Chief Fire Officer

Agenda Item No:

Date: 17 September 2010

Purpose of Report:

To seek approval from Members for amendments to the terms of reference of the Personnel Committee.

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1. BACKGROUND

Following the implementation of the revised governance arrangements of the Fire Authority in April 2006, a number of updates and amendments have been made to the terms of reference of the various committees. In all cases these amendments have to be formally approved by the Fire Authority.

2. REPORT

- 2.1 On 15 July 2010 the Personnel Committee heard an appeal by Unison regarding a management proposal to remove the right of all individual employees to appeal to the Fire Authority on matters of discipline and grievance. The appeal was brought about following a failure to agree between management and trade unions and a revised disciplinary and grievance process which harmonises the overall approach affecting all staff and ensure statutory compliance.
- 2.2 As an outcome of the appeal the terms of reference of the Personnel Committee require revising to reflect the decision made. As the revised process does not affect grievances or disputes brought under the “collective” process it is appropriate to replace the existing terms of reference with one which reinforces this approach as that in the revised draft terms of reference.
- 2.3 Additionally, Nottinghamshire Fire and Rescue Service (NFRS) has, for some time now, had an agreed and structured process for addressing job grading appeals. The job evaluation (JE) scheme was introduced in 2006 and has been in operation since then. Internally administered, the process is supported by the representative bodies and an independent appeal process is in place. All outcomes from the JE process are reported to the Human Resources Committee on a quarterly basis.
- 2.4 Therefore, whilst addressing the revisions to the appeals process as detailed in Paragraph 2.2 above, it would also be appropriate to amend the section relative to grading appeals as detailed in the original terms of reference. This has been shown in the attached terms of reference for approval (Appendix A).

3. FINANCIAL IMPLICATIONS

There are no specific financial implications arising from this report.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

As a result of the decision of the Personnel Committee, a revised discipline and grievance procedure is being implemented. Appropriate training to support this revised process will be undertaken.

5. EQUALITY IMPACT ASSESSMENT

An initial equality impact assessment shows no specific disadvantage to any person covered by legislation. Separate procedures exist within NFRS for addressing matters covered under harassment and bullying.

6. CRIME AND DISORDER IMPLICATIONS

There are no specific crime and disorder implications arising from this report.

7. LEGAL IMPLICATIONS

There are no specific legal implications arising from the amendments to the terms of reference of the Personnel Committee.

8. RISK MANAGEMENT IMPLICATIONS

By maintaining and updating the terms of reference of the Fire Authority committee structure, the Authority is able to ensure that its processes remain fair and robust.

9. RECOMMENDATIONS

That Members approve the amendments to the terms of reference of the Personnel Committee as detailed in Appendix A.

10. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)

None.

Frank Swann
CHIEF FIRE OFFICER

Personnel Committee

Role - To take decisions with regard to the following specific personnel issues. ~~consider and make recommendations with regard to specific personnel issues as referred by the Fire & Rescue Authority, Policy & Strategy Committee, and the Human Resources Committee.~~ (Amendment by Fire & Rescue Authority at its meeting of 23 February 2007)

Responsibility – To ensure that the Fire & Rescue Authority meets its requirements and responsibilities with regard to its employees in respect of,

- Contractual
- Legal
- Financial and
- Pension

Issues.

Meets as required - at the rising of Fire & Rescue Authority.

Members comprising -

6 Members to include a Committee Member from the HR Committee

Advisors –

Clerk to the Fire & Rescue Authority
Head of Human Resources

Quorum

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TERMS OF REFERENCE PERSONNEL COMMITTEE

1. To hear and decide on ~~grading appeals and~~ (FA 17.09.10) appeals relating to equal pay. Decisions of the Personnel Committee are to be without prejudice to any rights of the individual to pursue matters elsewhere.
2. To hear appeals on employee group or employee grievance matters as submitted under the collective grievances procedure. (inserted by F.A. at meeting of 17.09.10)
2. ~~To hear appeals brought to Members level through formal processes, e.g. grievance and harassment complaints procedures and recruitment appeals. Decisions of the Personnel Committee are to be without prejudice to any rights of any party to pursue matters elsewhere. (amended by Personnel Committee 15.07.10 and approved by F.A 17.09.10)~~
3. To have due regard to Equal Opportunities and, in particular, the Authority's responsibilities under the Race Relations (Amendment) Act 2000.
4. To reconsider and determine decisions under section 50 of the Pensions Act 1995 and the Occupational Pensions Scheme (Internal Disputes Resolution Procedures) Regulations 1996 and matters relating to pensions other than these exempt by the 1996 regulations.
5. To consider and determine all requests for consideration of cases under the Firefighters Pension Scheme.
6. Consider, and if appropriate, determine any other matters which may be referred to the Committee.
7. Consider applications for sports leave as detailed in the Personnel Handbook.

The Personnel Committee will not be concerned with general personnel policy related items, which will continue to be referred to the full Fire & Rescue Authority via the Human Resources Committee and the Policy and Strategy Committee.