



**NOTTINGHAMSHIRE**  
**Fire & Rescue Service**  
*Creating Safer Communities*

Nottinghamshire and City of Nottingham  
Fire and Rescue Authority

# EQUALITIES REVIEW

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## Report of the Chief Fire Officer

**Agenda Item No:**

**Date:** 16 September 2011

**Purpose of Report:**

To seek endorsement of the attached Equalities Review and amendment to Equalities Section of Fire Authority/Committee template.

### CONTACT OFFICER

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## **1. BACKGROUND**

- 1.1 At a meeting of the Strategic Equalities Board on 18 October 2010, it was suggested that in light of changes to legislation and the stance taken by Central Government with regards to equalities targets, a review of the Service's current approach to the equalities agenda including associated local performance indicators and organisational objectives within Nottinghamshire Fire and Rescue Service (NFRS) was required.
- 1.2 Terms of reference for the review were developed and subsequently agreed at the meeting of the Policy and Strategy Committee on 29 October 2010. The Committee also endorsed that the Equalities Officer would lead the review, supported by the Equalities Steering Group chaired by ACFO John Buckley.

## **2. REPORT**

- 2.1 During November 2010 NFRS engaged in a peer assessment based on the Fire and Rescue Service Equality Framework. The assessment was successful and the Service was reclassified as 'Achieving' against the standard.
- 2.2 However, the overarching Equalities context in which NFRS operates changed during 2010 with the royal assent of the Equalities Act (2010), and the statement from the Fire Minister confirming that Government will not be enforcing or monitoring compliance with the National Fire and Rescue Service Equality and Diversity Strategy.
- 2.3 These changes led to suggestion from the Strategic Equalities Board that the equalities objectives of NFRS should be reviewed to consider if they are appropriate and sufficient within this new context.
- 2.4 The terms of reference for the review were endorsed by the Policy and Strategy Committee and the outcome of the Equalities Review is attached to this report.
- 2.5 The review has been led by the Equality and Diversity Officer with full support and assistance from the Equalities Steering Group. Engagement within this process has been all encompassing and has included consultation with external stakeholders to ensure that their views are also considered. This has led to the development of a revised set of objectives and performance indicators contained within the attached review documentation.
- 2.6 The review has also identified that the structures in place for the governance and management of the equalities agenda is sound and no changes are required. This is supported by the very positive comments received from the LGiD peer assessment undertaken in 2010.

- 2.7 The Strategic Equalities Board approved the Equalities Review at its meeting on 24 June 2011, inclusive of revised Local Performance Indicators (to be reported to Performance Monitoring Committee) and the revised objectives within the Equalities Action Plan.

### **3. FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from this report, however, the delivery of the objectives contained within the review will require resources, though these will be met from within existing provision.

### **4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS**

There are no direct human resources or learning and development implications arising from this report, however, the delivery of the objectives contained within the revised Equalities Action Plan within the Review will require significant attention.

### **5. EQUALITY IMPACT ASSESSMENT**

This review does not reflect a change in policy and so does not require an equality impact assessment. Equalities issues have been addressed within the body of the Review.

### **6. CRIME AND DISORDER IMPLICATIONS**

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

### **7. LEGAL IMPLICATIONS**

- 7.1 The Equality Act (2010) compels employers and organisations to comply with statute relating to equality issues in both employment and service delivery. Failure to meet these requirements would put NFRS at serious risk in terms of legal redress.
- 7.2 The governance and management structures in place, together with the revised objectives demonstrate that NFRS is self aware and committed to legal compliance.

## **8. RISK MANAGEMENT IMPLICATIONS**

- 8.1 Through committed leadership, much progress has been made within NFRS in the area of equality and diversity. Employees are much more aware of their obligations in terms of treatment of colleagues and fair and equitable delivery of service to the community of Nottinghamshire.
- 8.2 Much progress has also been made in terms of capital assets – eg: accessibility, dignity at work and reasonable adjustments in line with the disability discrimination legislation.
- 8.3 A move away from this strong leadership model and challenging objectives could potentially trigger a reversal of the good work achieved thus far and could lead to reputational damage and legal proceedings.
- 8.4 The review puts forward robust arrangements and objectives to ensure that NFRS not only continues to be an employer of choice delivering high quality targeted services, but also seeks continual improvement in striving for the 'Excellence' level within the audit framework.

## **9. RECOMMENDATIONS**

It is recommended that Members:

- 9.1 Approve the attached review, inclusive of revised Local Performance Indicators to be reported to Performance Monitoring Committee and the revised objectives within the Equalities Action Plan (Appendix C).
- 9.2 Approve the revised Equalities Section (Section 5) of the template for Authority/Committee reports (Appendix D).

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

None.

Frank Swann  
**CHIEF FIRE OFFICER**

**Equalities Review**  
**March 2011**

**Background**

1. Following the change in Government in May of this year and the enactment of the Equality Act 2010 from October 2010, the Strategic Equalities Board (SEB), at its meeting of 10 September felt it was necessary to undertake a review of the way in which equalities is governed, managed and delivered to ensure that it is fit for purpose moving forwards.

*'.....the Service will look for a review of the way in which the equalities agenda is taken forward, which will also incorporate a review of the terms of reference for this Board. Changes to the terms of reference will be circulated and tabled for discussion, before being presented to the full Fire Authority. Future monitoring will also be considered in any subsequent report to the Board'* (Strategic Equalities Board Minutes 10/09/10)

2. Terms of Reference for the review were developed and presented to Corporate Management Board (CMB). These were subsequently presented to the Policy and Strategy Committee for Fire Authority agreement. The Terms of Reference along with a brief narrative provided by ACFO John Buckley, Chair of the Equalities Steering Group, can be found at Appendix A.

**Why undertake a review?**

3. The political, financial and legislative framework has changed significantly in the last 12 months. During this time the following changes have taken place:
  - The coalition government has removed the need for compliance with the National Fire and Rescue Service Equality and Diversity Strategy 2008-18;
  - National recruitment targets for under-represented groups have subsequently been removed;
  - The new Equality Act 2010 received royal assent and the main provisions have now come into force from October 2010;
  - The Fire and Rescue Service Equality Framework was launched in December 2009;
  - The Comprehensive Spending Review is impacting upon the Fire Service significantly.

**Who will undertake this Equalities Review?**

4. The Review will be, in the main, undertaken by the Equalities Team, supported and scrutinised by the Equalities Steering Group (ESG) including internal and external consultation with key stakeholders.

**Governance**

5. The expectation is that an options report, with recommendations, will be presented to CMB on behalf of the ESG. Should the review identify that significant change is

required, and this is supported by CMB, then approval from the Fire Authority will also be required.

6. It is anticipated that a refreshed set of objectives will be delivered through the review and implemented from 01 April 2011.

## Report

7. The first thing to establish is whether or not the Service agrees on maintaining the equalities agenda as a strategic priority over the next few years. It should be noted that its Single Equality Scheme 'Equal Life Chances for All', launched in July 2009 is expected to be effective until 2013 and that Equalities remains a central theme within its new IRMP.
8. On the 17<sup>th</sup> December 2010 the Chief Fire Officer presented a paper to the Combined Fire Authority meeting to inform them of the accreditation of the 'Achieving' status under the Fire and Rescue Equality Framework and to gain approval to aim for the Excellent level by 2013. The CFA commended the Service's achievements and its objective to reach the next level of the Framework.

## Strategic Drivers

9. The Service's Single Equality Scheme recognises People at Risk (Vulnerable People) as being a 'strand' in addition to the other equality strands (now called Protected Characteristics). Although this group of people is not protected in terms of equalities legislation, the service has a legal duty under the Fire Services Act 2004 to;
  - Promote fire safety;
  - and to prepare for:
    - fighting fires and protecting people and property from fires;
    - rescuing people from road traffic collisions; and,
    - dealing with other specific emergencies, such as flooding or terrorist attack.
10. In order to fulfil this legal duty in a more cost-effective manner, the Service's prevention work is becoming much more targeted to those who are most at risk of fire. The 'People at Risk' group cuts across the other equality strands but they tend to fit into one or more of the following categories relating to health, disability and socio-economic disadvantage:
  - Live alone or lone parent with children;
  - Regular use of alcohol and drugs;
  - Affected by mental health issues;
  - Affected by learning difficulties;
  - A Smoker;
  - Typically live in a more deprived area;
  - Generally from a low socio-economical group.

This demonstrates that the equalities agenda is no longer just a 'nice to have' bolt-on to everyday business but it is integral to the delivery of effective services.

11. Along with the strong moral case of promoting equality being 'the right thing to do', the legal driver for maintaining a strong equalities ethos within the Service has been

strengthened by the Equality Act 2010 which has harmonised and extended equalities legislation from the last 40 years.

12. There are now nine “protected characteristics”, namely: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In April 2011 legislation will be brought in that ensures that public bodies, including Fire and Rescue Services, will have a duty to promote equality on eight of these grounds (not marriage or civil partnership). The new Equality Duty will also include new requirements in terms of transparency and publication of data and equalities information.
13. If the Service fails to fulfil its legal obligations to promote equality through service delivery and through employment and training this will most likely have an adverse impact upon the Service’s finances and its reputation in the community.
14. During 2008/09 the Service increased its investment in the corporate equalities agenda by increasing the establishment from 1 post to 3 posts and by increasing the non-pay budget to improve activities relating to positive action and promoting the Service as an employer of choice.
15. This level of investment has reduced for 2011/12 and is set to reduce further in 2012-13 as part of fiscal consolidation measures.
16. The Equality and Diversity function has been driven very much in terms of its legal duties to promote equality (in service delivery, employment and procurement), which up until recently, has been confined to disability, gender and race. The new Equality Act now requires the service to have due regard to promote equality across 8 strands rather than 3 and the promotion of equality through the procurement of goods and services is no longer a requirement.
17. As described at paragraph 8 the Service has formalised its recognition of vulnerable people as an equalities issue yet the Equalities Team/Function has little responsibility or influence over the work that takes place promoting equality of access to services either centrally or within the Response Districts.
18. This review provides the opportunity to re-appraise the role and scope of the equalities function to encapsulate changes in legislation, organisational structure and corporate strategy.
19. The current role of the Equalities function is to;
  - Advise the Chief Fire Officer and CMB on equalities issues;
  - Support and advise managers on best practice in relation to equality and diversity issues.
  - Work to attract under-represented groups to the Service;
  - Ensuring employees and managers are aware of their statutory responsibilities;
  - Reporting on progress against organisational objectives and local performance indicators;
  - Coordinating and supporting the equality groups:
    - Strategic Equalities Board;

- Equalities Steering Group;
  - Equalities Forum;
  - Employee Equality Network;
  - LGB Network.
20. The Service has been promoting aspects of corporate social responsibility (CSR) through its equalities commitments, the way in which it procures goods and services and in the way it builds fire stations etc. Indeed much of what we do as a public service provider in terms of employment practices, governance arrangements, service delivery and procurement is led by legislation and is best practice.
21. Over the last 18 months, the Service has started to place more emphasis on the Environment and Sustainability agenda and recently built its new fire station at Carlton to BREEAM standards. The Service has strong governance arrangements and some policies which address aspects of CSR issues, but there remains an opportunity for the Service to develop a corporate policy in this area.
22. In 2009 the Service included People at Risk (or Vulnerable People) in its Single Equality Scheme as this is a key issue in terms of equal access for the Fire and Rescue Service. The Risk Reduction and Risk Response Departments deliver services directly to vulnerable groups. The Equality and Diversity Officer and Partnerships Manager are forming proposals for the Equalities Steering Group to establish a procedure in order to improve the Service's approach to alerting and referring instances of neglect, harassment, domestic violence, hate crime and other issues relating to the safeguarding of vulnerable adults and children. This will be a Service Delivery objective within the Service's new Equalities Action Plan.

### **Governance Arrangements**

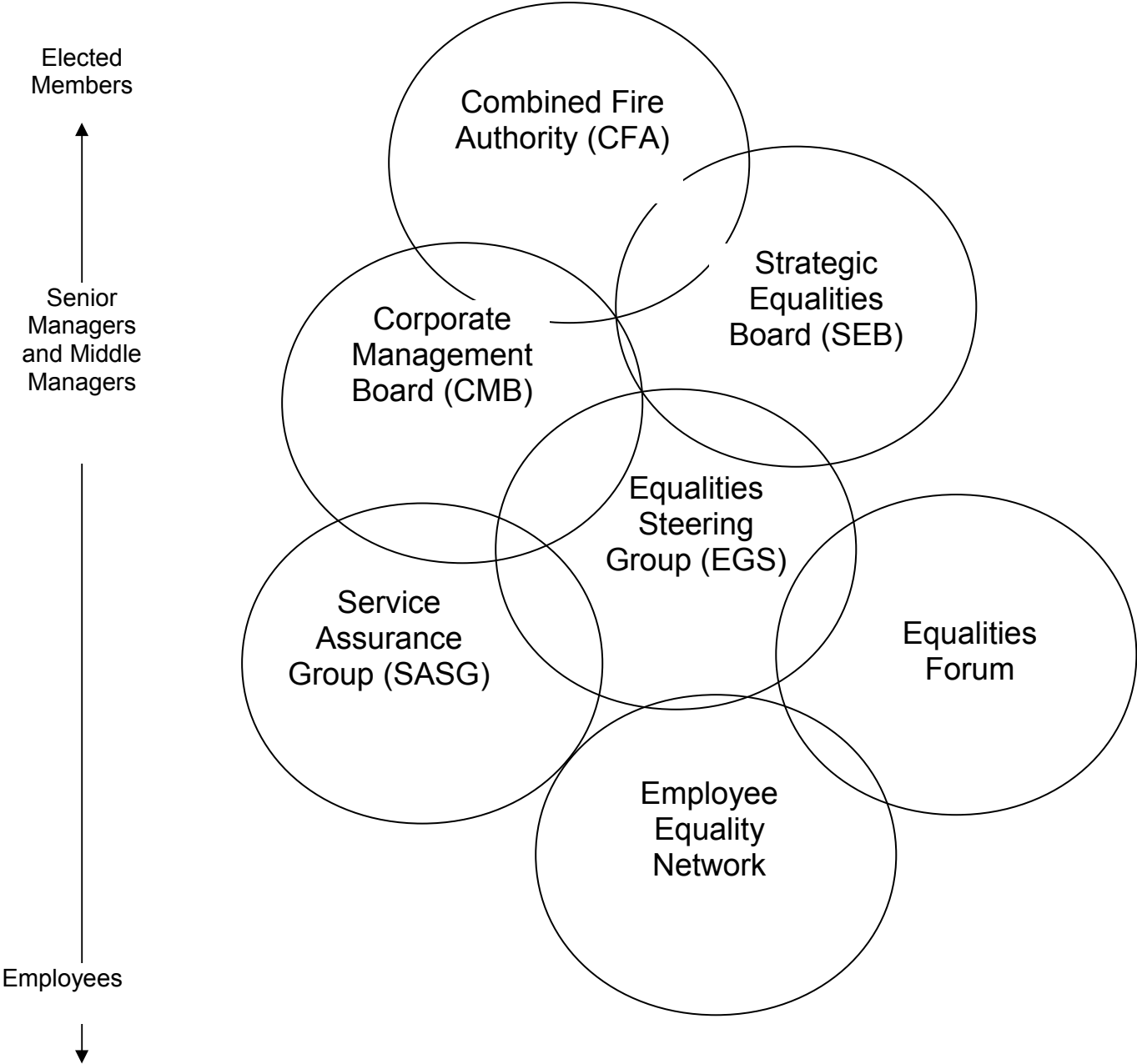
23. Following the Service's successful Peer Challenge against the Achieving level of the Fire and Rescue Service Equality Framework, the Service received some useful feedback from the Peer Challenge Team on its equalities governance arrangements:

*'The Fire and Rescue Authority Chair is also the Chair of the Equalities Board. This demonstrates evidence of clear senior leadership and the importance of the equalities agenda to the authority.....There are a number of representative bodies for staff across NFRS who are regularly consulted on a range of issues. Included in this there is a mechanism for these groups to influence and be involved in setting the E&D objectives of the organisation. There is an employee focus group on E&D issues which meets every three months and has met four times in total. As a representative group designed to capture the views of staff it could be more widely promoted. This would encourage a more effective mechanism to influence change.... Need to promote the existence and role of the Employee Equality Network to staff to ensure role and purpose are exploited fully'.....(NFRS Local Government Improvement and Development Equality Framework Peer Challenge Report 2010)*

24. Given that this structure (diagram below), which was introduced in 2008, has been commended and is producing results, it is suggested that these arrangements remain unchanged.



**Equalities Governance Structure**



## Local performance Indicators and Equalities Action Plan

25. The Fire and Rescue Service has had specific targets for the recruitment of under-represented groups since the inception of Best Value and performance indicators on recruitment and retention. In 2008, following the demise of the Best Value Framework more formal targets were proposed in The National Fire and Rescue Service Equality and Diversity Strategy.
26. As part of this strategy, the Service committed to a 'stretch target' relating to the recruitment of female firefighters and an ambitious target relating to the recruitment of people from BME backgrounds across all roles, namely:
- BME- 14.5% of all entrants to the organisation to be from BME backgrounds by 2013; and,
  - Gender- 18% of entrants to operational roles are women by 2013
27. On 28<sup>th</sup> July 2010 the Fire Minister Bob Neill made an announcement to Chief Fire Officers and Chairs of Fire Authorities that he:
- “will not be enforcing recruitment, retention and progression targets or monitoring compliance with the National Equality and Diversity Strategy. This is an area where leadership and commitment should come from within the Service.”* <http://www.communities.gov.uk/news/corporate/1654085>)
28. This now provides individual Fire and Rescue Services with more autonomy in setting their own targets in relation to recruitment and retention.
29. As described above the Service committed itself to targets under the National Equality and Diversity Strategy 2008-18. The target relating to the recruitment of people from BME backgrounds, the Service felt, was not achievable. It was based on information which suggested that the BME population of Nottingham and Nottinghamshire was 14.5%. This was 10% higher than the service's previous estimations and seemed to take into account the considerable increase in eastern European migrant workers living in the region. By the time it came to committing to these targets the credit crunch had hit and many of these people were returning to their countries of origin.
29. This review provides the organisation with the opportunity to revisit these recruitment targets and change them if necessary. Due to the current economic climate and the results of the Fire Cover Review it seems, at this stage, that it is unlikely that the Service will be recruiting firefighters in the next 24 months. Suggestions for the LPIs relating to the recruitment of under-represented groups are in the table below.
30. In April 2009 the Service began measuring itself against a new set of Local Performance Indicators (LPIs). These aimed to expand performance monitoring across different protected characteristics of equality and sought to include Service Delivery. These are now being reported through the Performance Monitoring Committee though some have not been monitored yet due to limitations related to our recording systems. These problems have now been resolved and the Service has undertaken a data validation exercise with all staff enabling it to properly measure declaration rates in terms of religion/belief, disability and sexual orientation.
31. To enable the measurement of Service Delivery and Risk Reduction activity, Equalities Objectives and LPI's were introduced. These included:

- Numbers of young people receiving Riskwatch sessions in schools across the City and County (LPI);
- Number of HSC's delivered to Risk Mosaic Groups for each district (LPI);
- Number of HSC's delivered to people on Disability Living Allowance (LPI);
- To ensure that stations provide a bespoke service to communities based upon District Profiles (Equalities Objective).

32. The Equalities Objective (fourth bullet point above) was taken forwards and is monitored through the Equalities Steering Group. The other three LPI's were not taken up for various reasons. As described above the equalities agenda needs to become more embedded within the service delivery aspects of the organisation and so there is an expectation that service delivery equalities LPI's and objectives will be produced in partnership with the Community Risk Response and Community Risk Reduction Departments.

33. At Appendix B please find an extract from the Quarter 4 2010-11 equalities performance data. This demonstrates that the Service is beginning to make an impact through its promotional work, particularly in relation to the recruitment of women and declaration of disability and sexual orientation. Below is a summary of amended Local Performance Indicators and comments/suggestions for future action.

# **Local Equalities Performance Indicators and Management Information Equalities Review January 2011**

**NB:** shaded boxes are for management information only

|             |                                  |  |  |
|-------------|----------------------------------|--|--|
| <b>Eq4f</b> | Gender                           | Numbers of women in role (uniformed) and in grade (non-uniformed) (includes white/other)                                       | Continue to monitor  |
| <b>Eq4g</b> | Gender                           | % of women accessing management development courses (uniformed/non-uniformed)  | To be deleted and replaced with Eq4h below.  |
| <b>Eq4h</b> | Gender                           | % of applicants for internal appointments who were women.  | To be monitored by Equalities Steering Group.  |
| <b>Eq5a</b> | Religion or Belief               | % of applicants declaring their religion or belief   | To be retained but for monitoring information only.  |
| <b>Eq5b</b> | Religion or Belief               | % of employees declaring their religion or belief  | To be retained but for monitoring information only.  |
| <b>Eq6a</b> | Sexual Orientation               | % of employees confidentially declaring their sexual orientation (including operational roles that are women)                  | 2012/13 8% (as at 24 <sup>th</sup> March 2011) of employees declared a sexual orientation. Retain.                                       |
| <b>Eq4a</b> | Gender                           | % of entrants into operational roles that are women  | 1.9% (as at 24 <sup>th</sup> March 2011) are lesbian, gay or bisexual.   |
| <b>Eq3a</b> | Disability/<br>Vulnerable People | % of survey respondents anonymously declaring a disability   | In 2010/11 actual anonymous declaration was 5%. Target for 2011/12 is to match outcome of results of Staff Survey in 2012.               |
| <b>Eq6b</b> | Sexual Orientation<br>Gender     | % employee survey respondents anonymously declaring their sexual orientation   | Staff Survey 2010 target was 60%. Actual declaration was 15%. Retain.  |
| <b>Eq3b</b> | Disability/Vulnerable People     | % of employees declaring a disability  | Disability declaration rate for Staff Survey in 2012/13 will be 8%. Proposed target for sexual orientation generally in 2012/13 is 1.5%. |
| <b>Eq6c</b> | Sexual Orientation               | % of uniformed and non-uniformed applicants who are lesbian, gay or bisexual   | However figures from the recent employee data  |
| <b>Eq6d</b> | Sexual Orientation               | % of Staff Survey respondents anonymously declaring they are lesbian, gay or bisexual  | Equalities Steering Group to monitor (Target will be 4%)   |
| <b>Eq4e</b> | Gender                           | % of women in different levels of management (uniformed) Supervisory (Crew/Watch) Middle (Station/Group) Senior (Area/Brigade) | Continue to monitor  |

**NB: shaded boxes are for management information only**

### **Equalities Action Plan 2011-2013**

Progress against the Service's Equalities Action Plan 2009-10 held within the current Single Equality Scheme (ESG), has been monitored by John Buckley as Chair of the Equalities Steering Group. Departments have provided quarterly updates on progress. A large proportion of the objectives within the action plan have been signed off by the Equalities Steering Group or it has been agreed that they are no longer relevant to the organisation's long-term equalities aims.

This action plan has now been revised and will be in place from April 2011 and will be live until the Service goes through its Excellent level peer challenge at the end of 2013.

A revised draft Equalities Action Plan can be found at Appendix C. This will be subject to consultation prior to internal agreement at the Strategic Equalities Board.

### **Operational Assessment Peer Review 2009 and 2010 Recommendations and Considerations and Staff Survey 2010**

Two recommendations were made during the Service-wide Peer Assessments in 2009 and 2010; both of these related to equality impact assessments and the training of managers. The Service has developed its approach to EIAs over the last 12 months and can demonstrate outcomes from those which have been produced. Training took place in 2010 and refreshers will take place as and when they are appropriate. It was also suggested that an EIA is undertaken in Fire Protection. This department is in the process of doing this work.

#### **Staff Survey 2010**

The Staff Survey 2010 was extremely positive in terms of the feedback received from employees on issues generally. However, the answers to questions on equality and dignity at work were very encouraging with a large proportion of respondents agreeing that the service was doing a good job of raising awareness of equalities issues. Employees also felt that their managers were, on the whole, treating them with dignity and respect at work.

A report of these results with accompanying action plan was presented to CMB by the DCFO in Autumn 2010 and an update has been provided to HR Committee on the issues raised by employees.

### **National Scene; Chief Fire Officers Association (CFOA), Communities and Local Government (CLG) and Local Government Improvement and Development (LGID)**

The national scene has been subject to change over the last 9 months. The main headlines include:

- Funding for the national Fire Service recruitment campaign 'Ordinary People Extraordinary Career' will not be continued.
- Fire and Rescue Services are no longer expected to report on their progress against nationally-set recruitment targets under the auspices of the National Equality and Diversity Strategy 2008-2018.
- CLG (FRS Equality and Diversity) has a much less prominent role in providing guidance for FRSs on equalities issues.
- LGID which works in partnership with CFOA on the FRS Equality Framework is being reviewed in terms of its size and role.
- CFOA has a new equalities lead who chairs the National Equalities Professionals Group. Nottinghamshire Fire and Rescue Service represents the East Midlands FRSs at this forum. This group is working on a number of workstreams

pertinent to fire service employment and service delivery issues which are championed by a variety of CFOA members. These workstreams include:

- Equality Act 2010
- Disability discrimination
- Data Collection and Business Intelligence (led by DCFO Andy Beale)
- Peer Review and Local Government Improvement
- Age Discrimination and Fitness for an Older Workforce.
- Best Practice Seminars
- Gender Pay Gap.

➤ It has also been announced that the Equality and Human Rights Commission (EHRC) which provides advice and guidance to individuals and organisations is to be more clearly scrutinized in terms of value for money. This should not have a direct effect on NFRS.

### **Judicial Reviews and Equality Impact Assessments (EIAs)**

Even though the duty to undertake EIAs is going under the Equality Act, there is still an expectation that public bodies will go through the appropriate process in order to ensure that organisations are fulfilling their statutory duties. This development does mean the NFRS's Fire Authority will have more flexibility in doing this but there will still be a need to demonstrate that the organisation has exercised 'due regard' when making decisions.

A number of judicial reviews have been undertaken over the last few years demonstrating that some public bodies have failed to take their duties under equalities legislation seriously. The areas identified in judgments' where organisations were found lacking included:

- Awareness of the statutory duties
- The Proper Time
- Proper Consultation
- Assessing justification
- Proportionality
- Transparency

An extract of the judge's summing up in respect of Harrow's decision to restrict adult care services to people with critical needs only demonstrates the expectations placed upon public bodies and their governance arrangements to have due regard for equalities legislation and decisions associated with equality.

"There is no evidence that this legal duty and its implications were drawn to the attention of the decision-takers who should have been informed not just of the disabled as an issue but of the particular obligations which the law imposes. It was not enough to refer obliquely in the attached summary to 'potential conflict with the DDA' – this would not give a busy Councilor any idea of the serious duties imposed upon the Council by the Act..."

### **R (Chavda) v Harrow LBC [2007].**

It should be noted that the reviews were not about the decisions themselves but about how they were made.

### **Equality Framework Excellent Level**

As described above, at the end of 2010 the Service was successful in gaining the Achieving accreditation against the National Fire and Rescue Service Equality Framework. The CFA

has agreed that it would like to maintain the IRMP objective of reaching the Excellent level of the Framework by 2013.

## **Strengths**

The Service's peer challenge demonstrated that NFRS is strong in the following areas:

- Governance, leadership and accountability
- Commitment to positive action, though this clearly needs to lead to better outcomes at the Excellent level.
- Delivering equality outcomes through development and implementation of policy; some strong equality impact assessments. The Service needs to continue this work in order to drive tangible improvements for the public and employees
- Engagement with unions; though there is a recommendation for us to involve unions in the EIA process earlier on.

## **Challenges**

Impact on employment relationships due to reduction of public spending and inevitable staff reductions;

- The Excellent level is more outcome-focused and so what the organisation is delivering in terms of employment practices and service delivery will be under more scrutiny. This is not in itself a barrier but it does mean that a greater proportion of the organisation will need to be aware and bought-in to the agenda.
- The culture of the organisation will be more of a focus for the Excellent level. Workplace culture and morale may suffer due to staff reductions. This may have an adverse effect on the Service's ability to fulfil some of the employment aspects of the Framework's criteria. Staff survey results should provide us with a measure against the workplace culture in 2010.

## **Equality Act 2010**

The Equality Act received Royal assent in April 2010 and its main provisions came in to force in October 2010. The Coalition Government has been considering the detail of some aspects of the act. Some of the provisions have now been approved and some are still under consideration. As described at paragraphs 11 and 12, the act now covers 9 protected characteristics:

- Age
- Disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

## **The General Equality Duty**

In April 2011 the General Equality Duty will be introduced as part of the government's phased approach to implementing this legislation. This means that all public bodies, including



Fire and Rescue Services, must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

This means....

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

In order to ensure that the organisation is fulfilling the above General Equality Duty, the organisation will need to ensure that it is analysing the way in which the implementation of its policies and procedures (delivery of services and employment) have on the different groups of people described above (those who share or who do not share 'protected characteristics'). NFRS will continue to undertake equality impact assessments in order to ensure and demonstrate compliance with this legislation.

### **Specific Duties**

Since it was elected, the Coalition Government has been actively pursuing a transparency agenda across the public sector and the Equality Act is included within this. As a public authority, Nottinghamshire Fire and Rescue Service is covered by the specific duties within the act:

### **The Equality Act 2010 (Specific Duties) Regulations 2011**

To assist in the performance of the Equality Duty, the government has laid before Parliament the Equality Act 2010 (Specific Duties) Regulations 2011. These Regulations require public authorities to:

- publish information to demonstrate its compliance with the **General Equality Duty** (cited above) not later than **31 January 2012** and at least annually thereafter.
- publish information relating to persons who share a relevant protected characteristic who are affected by their policies and practices. Public authorities with 150 or more staff are also required to publish this information in relation to their employees.
- prepare and publish one or more specific and measurable equality objectives, that it thinks it should achieve to further the
- aims set out in the duty. They are required to publish these objectives no later than **6 April 2012** and at least every 4 years thereafter.

The Equalities Team and Corporate Services are responsible for ensuring that this information is produced and published in a timely manner.

NFRS had foreseen the introduction of a single equality duty back in 2009 and so produced a Single Equality Scheme in order to address some of the additional protected characteristics, which have now been enshrined in the Equality Act. Although under the new act there is no statutory responsibility to produce an Equality Scheme, the Service's Single Equality Scheme 'Equal Life Chances for All' is still relatively new and goes some way in demonstrating NFRS's commitment to, and achievement of equalities objectives. The new Equalities Action Plan (produced as part of this review) will replace the one held within the current Single Equality Scheme.

The Service has steadily improved its approach to Equality Impact Assessments (EIAs) over the last few years. Although the new act does not specifically expect public bodies to undertake EIAs, the specific duties do require evidence that organisations have given due consideration to the effect policies and practices have had on employees and members of the public. The EIA process is the most logical and accepted way of doing this and it is expected that NFRS will continue to work in this way.

Although NFRS has always been mindful of the effects of its policies on different groups of people, the Service now needs to ensure that its policies have due regard for the needs of the groups which are now fully covered by the Act. This includes marriage/civil partnership, pregnancy/maternity and gender reassignment. The current EIA toolkit and templates have been revised in order to address changes in legislation, including the extension of protected groups.

There have also been some significant changes in the following areas;

- **Direct Discrimination**
- **Harassment by Third Parties**
- **Banning Pre-employment Health Questionnaires**
- **Positive Action in Recruitment and Promotion**
- **Default Retirement Age**

### **Direct Discrimination**

The direct discrimination definition has changed. Previously the law related to the actual gender, race, sexual orientation etc of the victim (on the grounds of a person's...). The term 'because of a protected characteristic' is now used. This widens the definition and now includes people who are discriminated against because they are associated with someone who has a protected characteristic but who do not have that protected characteristic themselves (for example, the parent of a gay son, or the partner of a disabled person).

It is also wide enough to cover someone who is discriminated against because they are perceived to have the protected characteristic whether or not they actually are a member of that group (for example, an Asian person assumed to be a Muslim, or someone who looks young).

NFRS is in the process of reviewing its policies to ensure that this new definition is adhered to in its employment practices.

### **Harassment by Third Parties**

The harassment provisions of the legislation have been widened to make an employer liable for harassment of his or her employees because of a protected characteristic by third parties,

such as clients or customers, over whom the employer has no direct control. An employer will only be liable when harassment has occurred on at least two previous occasions, the employer is aware that it has taken place, but has not taken reasonable steps to prevent it from happening again.

Again, the Service is in the process of reviewing its bully and harassment and grievance policies in this area in order to ensure compliance.

### **Banning Pre-employment Health Questionnaires**

The Equality Act has made it unlawful for an employer to ask about a job applicant's health until that person has been offered a job, except in certain limited circumstances such as monitoring applications or asking whether the applicant needs adjustments to be able to participate in the recruitment process. It also allows employers to ask candidates about their health in relation to "finding out whether a job applicant would be able to undertake a function that is intrinsic to the job".

The principle behind this new provision is to make it easier for disabled candidates to obtain employment by putting the consideration of reasonable adjustments at the end of the process rather than at the beginning. Whilst it may be possible for FRSs to argue that fitness is an intrinsic requirement of the role of firefighter, any candidate who passed the physical selection tests during the recruitment process would have demonstrated their capacity to perform the role. FRSs who ask candidates about their health post-job offer will be able to make reasonable adjustments or justify their need to withdraw the job offer at that stage. NFRS has amended its application form and health questionnaires accordingly.

### **Positive Action in Recruitment and Promotion**

Section 159 of the Act will allow an employer to choose someone because they have a particular protected characteristic when deciding who to recruit or promote. This will be possible in circumstances where the employer reasonably considers that people having the particular protected characteristic are at a disadvantage or are under-represented; and where the candidates are "as qualified" as each other.

The legislation does not allow organisations to have a policy or practice of automatically treating people who share a protected characteristic more favourably in these circumstances; each case must be considered on its merits. Organisations will not have to justify why they have failed to use these provisions.

Initial internal discussions regarding this aspect of the act have suggested that NFRS would not be supportive of its use.

Although there is no need to have a formal view on this, the Equalities Steering Group may want to discuss this aspect of the Act and any implications its use may have for the Service. (Edited extracts from CFA Equality Act Circular 2011-004)

### **Default Retirement Age**

The Equality Act has also had a major impact upon the default retirement age in the UK. Employers are prohibited from issuing new notifications of retirement using the default retirement age and the statutory retirement procedure is abolished. Employers that wish to prescribe a compulsory retirement age may do so only if it is a proportionate means of achieving a legitimate aim.

A transitional period applies to notifications of retirement issued on or before 5 April 2011 where the employee reaches the age of 65 on or before 30 September 2011. Employers may no longer prohibit job applicants from applying for a job if they are aged 65 or over, or are within six months of the age of 65. The Employment Equality (Repeal of Retirement Age Provisions) Regulations 2011 are currently in draft.

The Service is currently reviewing the policies that are affected by this development

## **Consultation**

A short consultation process took place over a three week period which asked respondents (service user groups and employees) to comment on particular aspects of some of the Service's objectives for the future. Questions related to;

- proposals to begin monitoring the sexual orientation of those using our services.
- ways in which the Service might target vulnerable people who are also lesbian, gay, bisexual or transgender. Evidence suggests that this group may have different needs.
- how the Service might engage more effectively with service users in order to shape services.
- how members of the public can challenge and feedback to the Service more effectively.

These results will be useful in developing some of the work which will fall out of the action plan but do not affect the outcomes and conclusions made in this report.

## **Conclusions and Outcomes**

This review has been a useful process in appraising the Service's position in relation to an ever-changing environment. The strategic drivers for maintaining an equalities and inclusion agenda are evident, particularly in ensuring a targeted approach to delivering fire and rescue services.

The Equality Act 2010, although still subject to some changes, has gained Royal Assent and the Service's commitment to its employees, managers and members of the public has only been strengthened by this complex piece of legislation. Indeed, as government prescription, guidance and bureaucracy is reduced, the Service will need to ensure that its own statutory obligations are understood and fulfilled. The main aspects of the Public Sector Equality Duty have been outlined within this paper, as have the main headline changes to equalities legislation.

Internally, it seems that the Service's approach is sound with praise for equalities governance arrangements being received through the recent Peer Challenge against the Achieving level of the Equality Framework. It is recommended that the Strategic Equalities Board, Equalities Steering Group, Equalities Forum and Employee Equality Network remain unchanged.

A revised set of Equalities Performance Indicators is to be agreed and a new Equalities Action Plan 2011-13 has also been drafted as a result of this review.

The national picture was also briefly explained within this paper. Its brevity was, in the main, due to the lack of clarity at this stage in relation to the roles of the main protagonists (CFOA, CLG and LGID). Currently CLG performs the role of a collector, holder and reporter of data for FRSs across the country, though who will hold this role in the future is unclear. Some of

the roles and responsibilities at national level may go completely but it seems that some could change hands in the coming months.

The Service's commitment to attaining the Excellent level of the Equality Framework in 2013 was confirmed at the Fire Authority meeting in December 2010.

## Appendix A

### **Narrative to accompany Terms of Reference for Equalities Review**

#### Mechanisms of the Review

A significant proportion of the Single Equalities Scheme objectives have now been completed or in need of review within the current legal, economical and political climate.

The Review will be, in the main, undertaken by the Equalities Team, supported and scrutinised by the Equalities Steering Group (ESG) including internal and external consultation with key stakeholders.

The expectation is that an options report, with recommendations, will be presented to CMB on behalf of the ESG. Should the review identify that significant change is required, and this is supported by CMB, then approval from the Fire Authority may also be required.

It is anticipated that a refreshed set of objectives will be delivered through the review and implemented from 01 April 2011.

Below is further clarity and information in support of the Terms of Reference articulated in the CMB paper of 18 October 2010.

#### 1 All current equalities objectives/targets

- Strategic drivers for the Service in terms of equality and diversity.
  - As the national strategy and targets are going, does the Service believe that this is as strategically significant as it was 1 year ago?
  - Does the service still have an appetite for pursuing this agenda?
- Single Equality Scheme: Local performance Indicators and Equalities Action Plan
  - As the national recruitment targets are no longer being scrutinised at national level, does the Service still need to have them? If so, what should they look like? Are the current ones achievable?
  - If the Service is not recruiting should it have recruitment targets? Should it focus on other areas?
  - Is the current equalities action plan appropriate? Is it up to date with current legislation and corporate objectives? Should it be more aligned to service delivery and mainstream performance management processes?
  - Should it be more aligned to the new Fire Service Equality Framework if Excellent level is still an ambition?

- Fire and Rescue Service Equality Framework
  - Achieving level December 2010 – consider outcome of the peer challenge
  - Excellent level by 2013 – maintenance of this aspiration
    - Further to the statement above, is this still an aspiration and if so what resources will be required to get there?
- Equality Act 2010: what impact will this have on the Service in the future?
  - How will the added strands have an impact upon the Service?
  - What will the Public Sector Equality Duty mean for NFRS, particularly in relation to greater transparency at local, regional and national level?
- Equality and Diversity Strategy 2008-18
  - As far as the Service understands, this is effectively redundant. Are there any aspects of it, however, that can inform this review and the service's direction in the future?

## 2 Governance

- Scrutiny and management of performance of the equality and diversity agenda including the reporting process for Combined Fire Authority
  - Are the structures in place within the Service providing the appropriate level of guidance, clarity and scrutiny.
  - Is the current engagement of stakeholders proportionate and effective in terms of driving the organisation forward to meet objectives.
  - Is there an opportunity to enhance Member engagement and development.

## 3 External Scrutiny/Best Practice

- Peer Challenge: is this new process proving popular? Is it fit for purpose?
- Experience of other Authorities' Audits
- National Equalities Professionals Group
  - This aspect of the review will be a matter of reviewing Peer Challenge taken by Fire Services thus far and looking at those that are considering going through the process in the future.
  - Although it is early days under the new CFOA lead on equalities, the review may look at how this is working and what impact, if any, CLG's absence has had on the national scene.
  - Consideration will be needed to determine if future Peer Challenges is something that the Service wishes to support.

#### 4 Outcomes of Review

- Revised objectives / targets / aspirations
  - It will enable the service to ask itself whether or not pursuing this agenda is still the right thing to do for the Service's employees and service users.
  - The review will ensure that the Service's agenda is fit for purpose in light of a range of changes, locally and nationally.
  - It will establish a range of objectives in light of a changing environment.
- Possible revised governance arrangements
  - It will ensure that the Service's governance arrangements fit with the changed landscape and with the significant progress made since the current arrangements were put in place over two years ago.
- External scrutiny / audit process
  - The Review will allow the Service to consider whether or not it requires the level of scrutiny currently being applied (ie. Through Peer Challenge).  
Could the Service adopt a more local, informal approach?

**John Buckley**

Chair of the Equalities Steering Group



## Appendix B

### Management Report - LPI 65b

#### LPI 065b % Entrants to Organisation from BME Backgrounds (NFRS) Previous Year to Date (Last Value)

| Strand | Description   | 2010/11 Target | 2010/11 Actual |
|--------|---|----------------|----------------|
| BME    | % of entrants to the whole of the organisation from BME backgrounds | 12%            | 0%             |

The Service has been unsuccessful in appointing anybody from a BME background during 2010-11. It should be noted that a third of these entrants were to RDS roles. The nature of the criteria for RDS posts is such that it is much less likely that anybody from a BME background would be able to apply (due to the geographical spread of BME groups in Nottinghamshire). Ten of the 45 entrants were Wholetime Firefighters who applied during 2008-09 and so the Service was also unable to impact upon this area. An investigation, commissioned by the RMB, into BME attainment took place in 09/10 which made recommendations to make changes to the process. The Service also engaged in a huge amount of mentoring and coaching of different groups during 2010 but due the recruitment process unfortunately did not take place.

Matt Sismey  
Equality & Diversity Officer

## Management Report - LPI 66a

### LPI 066a % Employee Survey Respondents Declaring Disability (NFRS) Previous Year to Date (Last Value)

| Strand                           | Description  | 2010/11 Target | 2010/11 Actual |
|----------------------------------|--|----------------|----------------|
| Disability/<br>Vulnerable People | % employee survey respondents anonymously declaring a disability | 2%             | 5%             |

As noted at Q2, this was a really great result for the Service in terms of anonymous declaration through the Staff Survey. This demonstrates a shift in confidence in declaring disability and is something the Service would like to improve upon in the next Staff Survey due in 2012.

## Management Report - LPI 66b

### LPI 066b % Employees Declaring a Disability (NFRS) Previous Year to Date (Last Value)

| Strand                           | Description                           | 2010/11 Target | 2010/11 Actual |
|----------------------------------|---------------------------------------|----------------|----------------|
| Disability/<br>vulnerable people | % of employees declaring a disability | 1.5%           | 3.9%           |

Although unfortunately not recorded for this quarter, the Service did undertake a Monitoring Exercise which allowed employees to declare their disability to the organisation (as opposed to anonymously through the Staff Survey). This indicator has traditionally remained very low. However, the information gathered through this exercise does demonstrate a marked improvement in declaring a disability broadly reflecting the changes experience with the Staff Survey. Having a more open culture to discussing and acknowledging disability does mean that the Service can support employees more effectively in the workplace.

Matt Sismey  
Equality & Diversity Officer

## Management Report - LPI 66c

### LPI 066c % FF Applicants Considering Themselves Disabled (NFRS) Previous Year to Date (Last Value)

| Strand                           | Description  | 2010/11 Target | 2010/11 Actual |
|----------------------------------|--|----------------|----------------|
| Disability/<br>Vulnerable People | % of firefighter applicants who consider themselves to be disabled | 1.5%           | 5.6%           |

This target has been more than fulfilled this year which again is extremely encouraging. The Service works very hard to demonstrate to employees and applicants that it is a disability-friendly employer and it seems that this training, advertising and awareness raising is beginning to bear fruit.

## Management Report - LPI 66d

### LPI 066d % Control/Non-uniformed Applicants Considering Themselves Disabled (NFRS) Previous Year to Date (Last Value)

| Strand                           | Description  | 2010/11 Target | 2010/11 Target |
|----------------------------------|--|----------------|----------------|
| Disability/<br>Vulnerable People | % of Control/Non-uniformed applicants who consider themselves disabled | 5.0%           | 3.9%           |

Although the Service has not met its target of 5% this year, 3.9% does represent an improvement on last year's figures and again demonstrates that the organisation is becoming more disability friendly.

Matt Sismey  
Equality & Diversity Officer

## Management Report - LPI 67a

### LPI 067a % Women Entrants into Operational Roles (NFRS)

Previous Year to Date (Last Value)

| Strand | Description   | 2010/11 Target | 2010/11 Actual |
|--------|---|----------------|----------------|
| Gender | % of entrants into operational roles that are women | 13             | 16.7%          |

This target was linked to the stretched targets from the National Equality and Diversity Strategy 2008-18. The Service has beaten the target by 3.7% this year, attracting 4 women out of 25 operational entrants to the organisation. The Service's Women Can campaign and associated media coverage has been instrumental in improving attraction and recruitment rates of women to firefighting over the last 12 months. It should be noted that half of the female entrants were on the Retained Duty System. The Women Can campaign was prominent at the Victoria Trophy and Ladies Driving Challenge last year, as well as sponsoring the Nottingham Outlaws Women's Rugby League Team kit for two years running. This has been coupled with a strong media campaign and use of the artwork at a national level.

## Management Report - LPI 67b

### LPI 067b % Women Entrants into Retained Organisational Roles (NFRS)

Previous Year to Date (Last Value)

| Strand | Description   | 2010/11 Target | 2010/11 Actual |
|--------|---|----------------|----------------|
| Gender | Retained; % of entrants into operational roles that are women | 13             | 13.3%          |

This target was linked to the stretched targets from the National Equality and Diversity Strategy 2008-18. The Service has beaten the target by 1.3% this year, attracting 2 women out of 7 operational entrants to the Retained Duty System of the organisation. The Service's Women Can campaign and associated media coverage has been instrumental in improving attraction and recruitment rates of women to firefighting over the last 12 months. The Women Can campaign was prominent at the Victoria Trophy and Ladies Driving Challenge last year, as well as sponsoring the Nottingham Outlaws Women's Rugby League Team kit for two years running. This has been coupled with a strong media campaign and use of the artwork at a national level.

Matt Sismey  
Equality & Diversity Officer

## Management Report - LPI 67c

### LPI 067c % Women Entrants into Wholetime Operational Roles (NFRS) Previous Year to Date (Last Value)

| Strand | Description  | 2010/11 Target | 2010/11 Actual |
|--------|--|----------------|----------------|
| Gender | Wholetime: of entrants into operational roles that are women | 13             | 20%            |

This target was linked to the stretched targets from the National Equality and Diversity Strategy 2008-18. The Service has beaten the target by 7% this year, attracting 2 women out of 10 operational entrants to whole time roles in the organisation. The Service's Women Can campaign and associated media coverage has been instrumental in improving attraction and recruitment rates of women to firefighting over the last 12 months. The Women Can campaign was prominent at the Victoria Trophy and Ladies Driving Challenge last year, as well as sponsoring the Nottingham Outlaws Women's Rugby League Team kit for two years running. This has been coupled with a strong media campaign and use of the artwork at a national level.

## Management Report - LPI 67d

### LPI 067d % Women in Top 15% of Earners (NFRS) Previous Year to Date (Last Value)

| Strand | Description                      | 2010/11 Target | 2010/11 Actual |
|--------|----------------------------------|----------------|----------------|
| Gender | % of women in top 15% of earners | 9.5%           | 9.4%           |

The Service was 0.1% off meeting its target for this indicator. Currently this figure can fluctuate as employees on dual contracts can skew the figures. The Equalities Steering Group is currently considering how to measure this issue differently in the future.

Matt Sismey  
Equality & Diversity Officer

## Management Report - LPI 69a

### LPI 069a % Employees Declaring Sexual Orientation (NFRS) Previous Year to Date (Last Value)

| Strand             | Description                                   | 2010/11 Target | 2010/11 Actual |
|--------------------|---|----------------|----------------|
| Sexual Orientation | % of employees declaring a sexual orientation | 30%            | 74%            |

The Service did undertake a Data Validation exercise in February/March 2011. There has been an 83% rate of return. The breakdown in terms of sexual orientation is the following:

74% declared a sexual orientation which was much higher than expected. This demonstrates a high level of confidence.

1.9% declared that they were lesbian, gay or bisexual (LGB).

22% preferred not to state their sexual orientation.

The Service has done a huge amount of work to raise awareness of LGB issues in the organisation through its membership of Stonewall, development of LGB friendly policy and through improved training for employees and bespoke training for managers. Last year the Service improved its rating on the Stonewall Workplace Equality Index and intends to better this in 2011.

## Management Report - LPI 69b

### LPI 069b % Employee Survey Respondents Declaring Sexual Orientation (NFRS) Previous Year to Date (Last Value)

| Strand             | Description  | 2010/11 Target | 2010/11 Actual |
|--------------------|--|----------------|----------------|
| Sexual Orientation | % employee survey respondents anonymously declaring their sexual orientation | 60             | 85.8%          |

This will be measured again in two years time when another staff survey is undertaken..

(This indicator was created to assess the levels of confidence of individuals in declaring their sexual orientation to us regardless of whether or not they are gay or straight within the staff survey. We are hoping to benchmark this against actual employee information and future staff surveys.

1.6% of respondents declared that they were lesbian, gay or bisexual.)

## **Management Report - LPI 69c**

### **LPI 069c % Applicants who are Lesbian, Gay or Bisexual (NFRS) Previous Year to Date (Last Value)**

There is currently no data to report on this indicator. The Service's new Recruitment Portal will enable the Service to monitor this information more closely.

Matt Sismey  
Equality & Diversity Officer

## **Appendix C**

Equalities Action Plan April 2011 to March 2014



## Service Delivery Equalities Objectives

| Ref                | Equality Act / Excellent Level Criteria | Outcome  | Protected Characteristic | Objective  | Performance Measure   | Ownership             | Target date              |
|--------------------|---|--|--------------------------|--|---|-----------------------|--------------------------|
| Service Delivery 1 | Equality Act<br>3.7                     | <b>Minority groups and People at Risk receiving equal access to Services</b> | All                      | To ensure that stations provide a bespoke service to communities based upon District Risk Profiles   | Performance objectives based on this for Station, Group and Area Managers. Response will measure this through inclusion of a local performance indicator in the Expectations Document.  | ACFO Service Delivery | April 2011-December 2013 |
| Service Delivery 2 | Equality Act<br>3.3, 3.16, 3.17, 3.18   | <b>Co-ordinated approach to community cohesion</b>                           | All                      | To maintain and co-ordinate a Community Relations agenda delivered in co-ordination with community safety and recruitment work<br><br>To reassure the public through visibility at key events. | Is the Service's approach to building and maintaining community relations more logical and co-ordinated? Is it integrated with community safety and recruitment activity? Does the Service have a good reputation in the community? | ACFO Service Delivery | March 2012               |

| Ref                | Equality Act / Excellent Level Criteria | Outcome   | Protected Characteristic | Objective  | Performance Measure  | Ownership             | Target date   |
|--------------------|---|---|--------------------------|--|--|-----------------------|---------------|
| Service Delivery 3 | 3.15, 3.18                              | <b>Those who are most vulnerable to fire are better protected in their homes.</b>             | All                      | To work towards a system whereby 75% of all HSCs are being delivered to highly vulnerable people.  | Has the prioritization system been honed to ensure that High Risk individuals are being prioritized? Are 75% of HSCs delivered to those most at risk?  | ACFO Service Delivery | March 2014    |
| Service Delivery 4 | 3.15                                    | <b>Children and Vulnerable Adults are safer as a result of the contact we have with them.</b> | All                      | To develop and implement a procedure on alerting and referring complex vulnerability problems to the appropriate agency. This includes safeguarding, domestic violence issues and instances of hate crime. | Demonstration that policy and procedure is in place and implemented. Has a child protection database been established? Are our staff more aware of alerting and referring issues relating to vulnerability? Appropriate and timely referrals made by NFRS employees. | ACFO Service Delivery | December 2011 |

## Finance and Resources Equalities Objectives

| Ref | Equality Act / Excellent Level Criteria | Outcome  | Protected Characteristic  | Objective  | Performance Measure  | Ownership  | Target date       |
|-----|---|--|---|--|--|--|-------------------|
| FR1 | Equality Act<br>3.22                    | <b>Disabled people have greater access to our buildings</b>  | Disability  | Update and implement action plan for work locations refurbishments and rebuilds in terms of disabled access              | Action Plan completed by F+R and signed off by Equalities Steering Group   | Director of Finance and Resources                                      | July 2011         |
| FR2 | Equality Act<br>3.22                    | <b>Improved shower and changing facilities for all members of staff providing dignity for all.</b>               | Disability<br>Gender<br>Religion or Belief                            | To improve working environments for our employees by providing improved shower and changing facilities for men and women | Have activities outlined in Capital Program 2011-2013 been completed?  | Director of Finance and Resources<br>- Head of Estates and Procurement | 2011-2013         |
| FR4 | 3.4                                     | <b>Suppliers treat employees and members of the public with dignity and respect whilst working on our sites.</b> | All   | To develop formal equalities standards for all contracts with suppliers of goods and services                            | Have standards been set and communicated? Are contracts monitored for compliance? Has training taken place with key suppliers? Are suppliers aware of and fulfilling responsibilities under the Equality Act | Director of Finance and Resources                                      | July 2011 Onwards |
| FR5 | 3.4                                     | <b>NFRS is promoting equality through procurement.</b>   | Disability, Gender, Race, Age, Religion or Belief, Sexual Orientation | To produce a corporate, equality impact assessed Procurement Policy and Procedure  | A policy and procedure in place which is clearly communicated, with appropriate training undertaken. Are equalities  | Head of Finance and Resources  | August 2011       |

| Ref | Equality Act / Excellent Level Criteria | Outcome  | Protected Characteristic | Objective   | Performance Measure  | Ownership  | Target date    |
|-----|---|--|--------------------------|---|--|--|----------------|
|     |   |  |                          |   | considerations part of the procurement process?  |  |                |
| FR6 | 3.4                                     | <b>Greater access for disabled people to ICT inside and outside of the organisation.</b> | Disability               | All ICT related web/software /hardware /applications to be signed off in terms of accessibility by ICT Steering Group | Are all purchases affecting multiple end users are carefully considered in terms of disabled access.<br><br>Agreed process in place. | - Head of Finance and Resources<br>- Head of IT and Communications | September 2011 |
| FR7 | Equality Act                            | <b>Disabled people have greater access to buildings, events, training, meetings.</b>     | Disability               | To assist the service with implementation of the new Disability Access Policy   | Are reasonable adjustments prioritized by the Finance and Resources Department in terms of estates, procurement and ICT?             | Head of Finance and Resources                                      | December 2011  |

## Corporate Services Equalities Objectives

| Ref        | Equality Act / Excellent Level Criteria | Outcome   | Protected Characteristic | Objective  | Performance Measure   | Ownership  | Target date    |
|------------|---|---|--------------------------|--|---|--|----------------|
| Corp Serv1 | Equality Act                            | <b>Legal compliance</b><br><b>Subject to change</b>                                 | All                      | To ensure all relevant equality information is published in a timely fashion                             | Has all relevant information been published?                              | - DCFO Corporate Services Equality and Diversity Officer/<br>AM Corporate Services | From July 2011 |
| Corp Serv2 | 3.13, 3.16, 3.18                        | <b>Service users given opportunity to provide feedback on our performance</b>       | All                      | To undertake a regular customer satisfaction survey with the public                                      | Survey completed and outcomes reported to CMB                             | DCFO Corporate Services  | December 2011  |
| Corp Serv3 | Equality Act 3.26                       | <b>Employees have greater access to relevant information about our communities.</b> | All                      | To produce an intranet-based community information resource for all staff                                | Number of hits/downloads on intranet                                      | DCFO Corporate Services  | March 2012     |
| Corp Serv4 | Equality Act                            | <b>Service users whose first language is not English have equal access to</b>       | Race<br>Disability       | To establish a corporate approach to translation and interpretation in partnership with Service Delivery | An agreed Translation or Communications Policy incorporating translations | - DCFO Corporate Services<br>- AM Corporate Services                               | March 2012     |

| Ref        | Equality Act / Excellent Level Criteria | Outcome  | Protected Characteristic | Objective   | Performance Measure  | Ownership   | Target date            |
|------------|---|--|--------------------------|---|--|---|------------------------|
|            |   | services   |                          |   |  |   |                        |
| Corp Serv5 | 3.16, 3.17, 3.18                        | <b>Produce and implement a Consultation Policy</b>   | All                      | To establish a coordinated approach to consulting with different groups within the community                              | An agreed Consultation Plan outlining with whom we consult, when and on which issues.                                  | - DCFO Corporate Services/HR<br>- AM Corporate Services | July 2011              |
| Corp Serv6 | 3.2, 3.3                                | <b>Members have a greater understanding of equalities issues relating to the Fire Service.</b> | All                      | To increase elected member participation in the equalities agenda through joint officer/member training                   | New and existing members have a development plan.<br><br>High (over 80%) attendance rates at training events/briefings | - DCFO Corporate Services/HR<br>- AM Corporate Services | December 2011          |
| Corp Serv7 | Equality Act 3.13                       | <b>NFRS knows more about its service users in order to improve the targeting of services</b>   | All                      | To establish a co-ordinated approach to gathering equalities data in response, protection and community safety activities | Recording, monitoring and reporting structures are in place and are being used.  | DCFO Corporate Services                                 | June 2012              |
| Corp Serv8 | 3.1 to 3.32                             | <b>Successfully organised Peer Challenge.</b>  | All                      | To support the Service in preparing for the Peer Challenge against Excellent  | Evidence collected and collated.   | DCFO Corporate Services/HR                              | May 2013-December 2013 |

| Ref        | Equality Act / Excellent Level Criteria   | Outcome   | Protected Characteristic | Objective   | Performance Measure   | Ownership             | Target date                 |
|------------|---|---|--------------------------|---|---|-----------------------|-----------------------------|
| Corp Serv9 | Equality Act<br>3.15, 3.16,<br>3.17, 3.18 | <b>Service users and their representatives have greater opportunities to challenge and feedback to the Service.</b> | All                      | To improve the feedback received from community groups in districts | Are effective forums in place to enable all equality stakeholders including representatives of vulnerable and marginalized people able to challenge, scrutinise and evaluate priorities for improving service delivery. | ACFO Service Delivery | October 2011- December 2013 |

## HR Equalities Objectives

| Ref | Equality Act / Excellent Level Criteria | Outcome   | Protected Characteristic                           | Objective   | Performance Measure  | Ownership   | Target date    |
|-----|---|---|--|---|--|---|----------------|
| HR1 | 3.25<br>Equality Act                    | <b>The Service's pay structures provide equal treatment for men and women.</b>      | Gender   | Undertake an Equal Pay Audit  | Has Equal Pay Review been undertaken in time for Excellent Submission?                     | - DCFO<br>Corporate Services/HR<br>- HR Manager (Corporate)<br>- Equality and Diversity Officer | September 2013 |
| HR2 | 3.20, 3.21                              | <b>Increase in women applying to the firefighter recruitment process</b>            | Gender   | To attract more female applicants to the wholetime /retained firefighter recruitment process using positive action where appropriate. | <b>2011/12 15%</b><br><b>2012/13 17%</b><br><b>2013/14 19%</b>                             | - DCFO<br>Corporate Services/HR   | 2011-2014      |
| HR3 | 3.20, 3.21                              | <b>Increase the % of applicants to the organisation from BME backgrounds</b>        | Race   | To attract more people from BME backgrounds to all jobs   | <b>2011/12 8%</b><br><b>2012/13 9%</b><br><b>2013/14 10%</b>                               | - DCFO<br>Corporate Services/HR   | 2011-2014      |
| HR4 | 3.20, 3.21                              | <b>Employees are able to access a wider range of flexible working opportunities</b> | Family Status, Age, Religion or Belief, Disability | To extend current flexible working and family friendly policies in line with current legislation                                      | Are the Service's policies and procedures are up to date in line with current legislation? | - DCFO HR/<br>Corporate Services<br>- ACFO Response   | December 2011  |



| Ref | Equality Act / Excellent Level Criteria | Outcome   | Protected Characteristic  | Objective  | Performance Measure  | Ownership   | Target date               |
|-----|---|---|---|--|--|---|---------------------------|
| HR5 | 3.23                                    | <b>The service has an up to date picture of the make-up of the workforce and can assess confidence levels in declaring sexual orientation and disability.</b> | Age<br>Disability<br>Gender<br>Race<br>Religion or Belief<br>Sexual Orientation | Undertake a Data Verification exercise for all employees                       | To ensure that employees have the opportunity to update their personal information.  | - DCFO HR/<br>Corporate Services<br>- HR Manager (Corporate)/<br>- Equality and Diversity Officer | April 2013                |
| HR6 | 3.20, 3.21<br>Equality Act              | <b>More disabled people are employed by the Service</b>   | Disability  | To continue to increase the numbers of disabled people entering the workforce. | Is the % of disabled applicants and appointees increasing?   | - DCFO HR/<br>Corporate Services  | April 2011-<br>March 2014 |
| HR7 | Equality Act<br>3.10, 3.11              | <b>The Service's policies promote equality and reduce disadvantage and discrimination</b>   | All   | To undertake EIAs on functions, policies and themes.                           | Has prioritized plan been established?<br>Has progress been made on undertaking the EIAs?<br>Are the action plans being implemented? | - DCFO HR/<br>Corporate Services  | April 2011-<br>March 2014 |
| HR8 | 3.22, 3.26,<br>3.27                     | <b>Promotion of equality in several areas</b>   | All   | To implement action plan established within                                    | Has the action plan in TRACK been completed/ Has   | - DCFO HR/<br>Corporate Services  | December 2011             |

| Ref  | Equality Act / Excellent Level Criteria | Outcome  | Protected Characteristic | Objective   | Performance Measure  | Ownership  | Target date |
|------|---|--|--------------------------|---|--|--|-------------|
|      |   | including equality of access and course content.   |                          | L+D full EIA (2010)   | commentary been updated on TRACK?  | AM L+D   |             |
| HR9  | 3.23                                    | More employees tell the organisation and/or their colleagues that they are lesbian, gay or bisexual.   | Sexual Orientation       | To improve confidence of lesbian, gay and bisexual employees in coming out at work if they so wish. | Improved declaration rate in 2013 compared to 2011   | - DCFO HR/ Corporate Services  | April 2013  |
| HR10 | 3.30                                    | Improved response rate on survey undertaken in 2010 (48%)<br><br>Similar or improved satisfaction rate | All                      | To undertake a staff survey   | Improved response rate on survey undertaken in 2010 (48%)<br><br>Similar or improved satisfaction rate | - DCFO HR/ Corporate Services<br><br>Director of Finance and Resources | March 2012  |
| HR11 | 3.29                                    | Employees are equipped with the knowledge and understanding of diversity                               | All                      | To fully embed equalities into the PDR process  | PDR process reviewed and amended. Equalities objectives monitored and reported to ESG.                 | - DCFO HR/ Corporate Services<br><br>- AM L+D                          | March 2012  |

| Ref  | Equality Act / Excellent Level Criteria | Outcome  | Protected Characteristic | Objective   | Performance Measure  | Ownership                   | Target date   |
|------|---|--|--------------------------|---|--|-----------------------------|---------------|
|      |   | to undertake their role effectively.   |                          |   |  |                             |               |
| HR12 | Equality Act<br>3.10, 3.11              | <b>Service has a clear understanding and approach to effectively managing employees who may go through the gender reassignment process</b> | Gender Reassignment      | To ensure the Service has an agreed approach to managing people who have gone through, or are in the process of going through gender reassignment | Have relevant policies been EIA'd and amended (if necessary) to address this issue?<br>Are managers aware of these policy changes and how to implement the policy? | DCFO HR/ Corporate Services | December 2011 |

## Appendix D



**NOTTINGHAMSHIRE**  
**Fire & Rescue Service**  
*Creating Safer Communities*

Nottinghamshire and City of Nottingham  
Fire and Rescue Authority

**[ REPORT TITLE ]**

Report of the [       ]

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**Agenda Item No:**

**Date:**

**Purpose of Report:**

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**1. BACKGROUND**

**2. REPORT**

**3. FINANCIAL IMPLICATIONS**

**4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT  
IMPLICATIONS**

**5. EQUALITIES IMPLICATIONS**

**An Equality Impact Assessment has been undertaken and the implications are.....**

**An Equality Impact Assessment hasn't been undertaken because.....**

***(Please complete/delete the appropriate sentence accordingly)***

**6. CRIME AND DISORDER IMPLICATIONS**

**7. LEGAL IMPLICATIONS**

**8. RISK MANAGEMENT IMPLICATIONS**

**9. RECOMMENDATIONS**