



**NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM  
FIRE AND RESCUE AUTHORITY**

**HUMAN RESOURCES COMMITTEE**

**MINUTES**

of meeting held on **22 JULY 2011** at Fire and Rescue Service Headquarters, Bestwood Lodge, from 10.00 am to 11.12 am.

**Membership**

Councillor Smith (Chair)  
Councillor Cooper  
Councillor Cross  
Councillor Girling  
^ Councillor Morris  
Councillor Grocock (as substitute for Councillor Morris)

Members absent are marked ^

Present as an observer – Councillor Wheeler.

**1 CHAIR'S ANNOUNCEMENT**

The Chair, in the exercise of his discretion announced that only members of the Committee would be permitted to speak at the meeting. Councillor Wheeler, who was present as an observer, noted the Chair's comments but wished his dissatisfaction with this ruling to be minuted.

**2 APOLOGY FOR ABSENCE**

An apology for absence was received from Councillor Morris.

**3 DECLARATIONS OF INTERESTS**

Councillor Smith declared a personal interest in that he was a member of Unison, but this did not prevent him from speaking or voting.

#### **4 MINUTES**

**RESOLVED that, the minutes of the last meeting held on 15 April 2011, copies of which had been circulated, be confirmed, and signed by the Chair.**

#### **PART TIME WORKERS (PREVENTION OF LESS FAVOURABLE TREATMENT)**

Consideration was given to a report of the Chief Fire Officer, copies of which had been circulated, updating the Committee on the ongoing negotiations for equal treatment for Retained Duty System Fire-fighters. The Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 (the Regulations), gave part time workers the right not to be treated less favourably than a comparable full time worker. There had been various test cases since then and in 2008, the final tribunal had found in favour of the claimants, concluding that fire-fighters on the Retained Duty System had been treated less favourably than fire-fighters on the Wholetime Duty System and, therefore, Fire Authorities were in breach of the Regulations. Agreement had been reached after negotiation with the National Employers and Representative Bodies to resolve the claims and pay compensation based on length of service, role and level of cover.

An independent third party, Popularis, had been engaged to handle the process of communication between the various Fire and Rescue Services, the Fire Brigades Union (FBU), the Retained Fire-fighters Union (RFU) and individual claimants. They were currently undertaking a matching exercise and would advise current employees who were in post on 30 June 2010 and previously employed claimants who were RFU/FBU members of their individual settlement calculations.

A number of amendments had been made to the National Joint Council Scheme of Conditions Service (Grey Book) following detailed negotiations between the respective parties to ensure compliance with the Regulations.

Nottinghamshire and City of Nottingham Fire and Rescue Service was undertaking a full review of its procedures to ensure compliance with the changes that had been made to the Grey Book.

**RESOLVED that the contents of the report be noted.**

#### **6 HUMAN RESOURCES UPDATE**

Consideration was given to a report of the Chief Fire Officer, copies of which had been circulated, updating the Committee on human resources issues within the Nottinghamshire and City of Nottingham Fire and Rescue Service.

The sickness absence figures for quarter 4 (1 January 2011 - 31 March 2011) were up slightly with 1328.5 days having been lost due to sickness, compared to 1203 days in the previous quarter. The increase had largely been due to an increase in medically certified absence, with 29 employees being signed off by their GP for a continuous period of more than 28 days. The cumulative average over the last 12 months was 5.33 days per employee. Target absence was 7.5 days per employee. This was being reduced to 6.5 days per employee in 2011/12. A robust absence management policy was in place to monitor absence continuously.

In the period 1 April 2011 – 30 June 2011 there had been five grievances, and two disciplinaries.

During the period 1 April 2011 – 30 June 2011, no-one had commenced employment with the Fire and Rescue Service and 20 employees left the Service. There were a number of vacancies across the establishment, most notably within the whole-time workforce. The situation was being actively managed and monitored.

**RESOLVED that the progress to date be noted and the contents of the report endorsed.**

## **7 REGRADING OF POSTS**

Consideration was given to a report of the Chief Fire Officer, copies of which had been circulated, notifying the Committee that the Job Evaluation Panel had not considered any applications for grading review or appeals in respect of changes to the permanent non-uniformed establishment, during the period January to April 2011 (inclusive).

**RESOLVED that the report be noted.**

## **8 EXCLUSION OF PUBLIC**

**RESOLVED that the public be excluded from the meeting during consideration of the remaining items in accordance with section 100A (4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighed the public interest in disclosing the information as defined in Paragraphs 1 and 3 of Schedule 12A to the Act.**

## **9 REVIEW OF WORKFORCE PLAN 2010-12**

Consideration was given to a report of the Chief Fire Officer, copies of which had been circulated, reviewing the Corporate Workforce Plan for 2010-12 and making the Committee aware of the updated Plan for 2011-13.

**RESOLVED that the report be noted.**

## **10 APPLICATION OF THE DISCRETIONARY COMPENSATION SCHEME POLICY**

Consideration was given to a report of the Chief Fire Officer, copies of which had been circulated, requesting the Committee to confirm the calculation of termination payments made under the discretion of the Discretionary Compensation Payments Scheme Policy in cases of redundancy.

**RESOLVED that the application of the discretion to apply compensatory awards in the event of redundancy, be based on the enhanced redundancy matrix and calculated on gross salary payments, within the Fire Authority's Discretionary Compensation Payments Scheme Policy.**

## **11 WORKFORCE REDUCTIONS : DISESTABLISHMENT OF STATION COOKS POSTS**

Consideration was given to a report of the Chief Fire Officer, copies of which had been circulated seeking approval from the Committee for the disestablishment of station cooks posts.

Councillor Girling proposed that consideration of this matter be deferred until a later meeting of the Committee when further information was likely to be available on the outcome of continuing negotiations. When put to the vote, this proposal was defeated.

### **RESOLVED**

- (1) that the post of Station Cook from all wholetime Stations be disestablished on the grounds of the cost savings that would be made;**
- (2) that redundancy payments be made in line with the normal redundancy arrangements as set out in the Service Discretionary Compensation Payments Scheme.**

Councillor Girling requested that his vote against the proposals be recorded.

## **12 APPLICATION OF THE DISCRETIONARY COMPENSATION SCHEME POLICY: REDUNDANCIES ARISING FROM THE PROPOSED DISESTABLISHMENT OF STATION COOKS ROLES**

The Chair of the meeting was of the opinion that this item, although not included on the agenda, should be considered as a matter of urgency in accordance with Section 100(b) (4) (b) of the Local Government Act 1972, in view of the special circumstances that at the time the agenda was prepared it was not known that any discretionary award was to be made and not to hear the item at this meeting would prejudice the applicants.

Consideration was given to a report of the Chief Fire Officer, copies of which had been circulated, asking the Committee to ratify the recommendations of the Discretionary Compensation Board in respect of the application of discretion under the Discretionary Compensation Payments Scheme Policy.

**RESOLVED that the recommendations of the Discretionary Compensation Payments Board as follows be endorsed:**

- (1) the payment of compensation awards to be made in line with the 'normal' policy provisions i.e. be made in line with the enhanced redundancy matrix and to be paid at gross pay rates;**
- (2) to exercise discretion in the case of applicant S;**
- (3) to exercise discretion to the payment of added years for those employees who are able to access the early release of pension benefits.**

Councillor Girling requested that his abstention from the vote be recorded.