

**EAST SUSSEX FIRE AUTHORITY
MINUTES**

EQUALITY AND FAIRNESS ADVISORY GROUP

Meeting held on 20 May 2004 at 10:00 HRS

PRESENT

ACFO Chris Large	Chair
DO Ian Alexander	Service Support Directorate
SDO Dick Ashley	Director Service Support
DO Mick Bright	Risk Management Directorate
Chris Greenway	Head of Personnel Services
Steve Huggins	FBU
Sue Klein	Clerk to the Fire Authority
Councillor Mrs Ann Leigh	Fire Authority Representative
Daryll Luxford	Corporate Services Directorate
ADO Jim Mahoney	Service Support Directorate
Angela Parker	Corporate Services Directorate
Craig Thomson	Community Protection Directorate
George Wippich	FBU Fairness at Work Representative

APOLOGIES

Suzanne Gooch	Media Resources
SDO Jon Hall	Director of Risk Management
Sub O Mark Rist	FOA
ADO Neal Robinson	Service Support Directorate

		ACTION TO BE TAKEN
	ACFO Large explained that with effect from the next meeting of the Group there would be a standing item to exclude the press and public for any confidential items. It was confirmed that there were no confidential items on today's agenda.	
28.	APOLOGIES FOR ABSENCE	
	Taken and recorded.	
39.	MINUTES	
	The minutes of the meeting held on 19 February 2004 were approved as a correct record.	

40.	ACTION POINT REPORTS	
	14(i)(b) Working Time Directive	
	Final guidance had been received and the Health, Safety & Welfare Committee were progressing the draft manual. This would be considered by Chris Greenway and ACFO Large and returned to this Group once completed.	
ACTION	Draft Manual to be returned to this Group once completed	Chris Greenway
	14(ii) ACAS Guidance on Age Discrimination	
	ACAS guidance had now been received and Chris Greenway would report back to the next meeting.	
ACTION	Report to next meeting.	Chris Greenway
	14(v) Insurance Cover	
	Daryll Luxford agreed to take this forward with the insurers and liaise with Chris Greenway.	
ACTION	Daryll Luxford to progress.	Daryll Luxford
	14(viii) Equality & Fairness Material for Notice Boards	
	Examples of posters had been obtained previously by Kobina Opoku but only one had been suitable for use. ACFO Large would ask Suzanne Gooch to look into potential suppliers.	
ACTION	ACFO Large to contact Suzanne Gooch.	Suzanne Gooch / ACFO Large
	19(e) BVPI 2(b) (Race Relations)	
	Noted that a report had gone to CMT and that the Service was working to consolidate at level 2.	
ACTION	CMT Briefing Paper attached to Minutes of this meeting.	Dick Ashley/ Sue Klein
	27. Joint Meeting of EFA Group with EDCC Project Group and Chairman of CFA	
	This had taken place on 4 May 2004.	
	28. Mobile Phones for Harassment Advisers	
	These had been issued where required.	

	29. Draft Statement on Bullying, Harassment and Victimization	
	Tom Kelly had suggested some amendments, mainly regarding the timing of issuing.	
	31. HRA Training for all Staff	
	ACFO Large would see whether this could be included in training provided by Tom Kelly.	
ACTION	ACFO Large to contact Tom Kelly.	ACFO Large
	32. Employment Equality Sexual Orientation Legislation policies	
	Chris Greenway had started the review of Manuals.	
ACTION	Chris Greenway progressing.	Chris Greenway
	35. Staff Forms requesting 'rank'	
	Rank detail requests removed from all forms inviting staff for courses, etc.	
41.	(i) Health, Safety and Welfare Issues	
	(ii) Fire Authority Issues	
	(iii) Service Planning Issues	
	(iv) Budget Issues	
	(v) Best Value Issues	
	There were none to report.	
42.	EDCC PROJECT UPDATE/ACTION PLAN	
	<p>ACFO Large had circulated Tom Kelly's report to members of the Group although it had not yet been seen by CMT. It was felt that the report lacked the impact of Tom's presentation to members but it was understood that this was inevitable if individuals' anonymity was to be maintained.</p> <p>It was hoped that some of the more contentious issues could be included in Tom's training sessions although, where individuals could be identified, Tom would be advised before the session.</p> <p>Where perceptions which were untrue would get into the public domain it was considered important to counteract these, e.g. where it was believed that there were lower entry requirements into ESFRS for women than men.</p> <p>It was agreed not to pursue the suggestion of a joint Foreword to the Report with the CFO/Representative Bodies.</p>	

ACTION	ACFO Large to advise CMT that the Group endorsed the report, but wanted training sessions to pick up on the more contentious issues which had been omitted.	ACFO Large
ACTION	ACFO Large to reconvene the Group following CMT to discuss an Action Plan.	Sue Klein/ ACFO Large
43.	REDUCTION OF PAY AFTER 6 MONTHS' SICKNESS	
	Chris Greenway clarified the situation regarding the reduction in sickness pay after six months' absence – this was mandatory unless the Chief Fire Officer & Chief Executive instructed otherwise, normally in cases of injury sustained while on duty, terminal illness or where an ill health retirement was imminent. This was taken from the Fire Service Circular which the FBU had signed up to, although the Grey Book had not been kept up to date in line with Circulars.	
44.	DISCRIMINATION IN UNIFORM	
	It was suggested that, as a small step to show the Service's commitment to change, all uniformed staff wear the same coloured shirts and that rank markings be removed from day to day uniforms. It was noted that there was a national study looking into uniforms so wholesale changes should not be made at this stage.	
ACTION	ACFO Large would suggest to CMT that a trial be carried out on the wearing of a single coloured shirt and the removal of rank markings.	ACFO Large
45.	OVERTIME	
	Steve Huggins was still waiting for amended draft guidance on the allocation of overtime. ACFO Large would chase up SDO Walsh.	
ACTION	ACFO Large to chase up SDO Walsh for draft guidance.	ACFO Large/ SDO Walsh
46.	PROMOTION PROCEDURES – TEMPORARY AND SUBSTANTIVE	
	Steve Huggins was concerned that this issue had still not been resolved. SDO Ashley would discuss the draft procedure with Steve, SDO Walsh and Chris Greenway following this meeting	

ACTION	SDO Ashley to discuss with Steve Huggins, SDO Walsh and Chris Greenway.	SDO Ashley/ Chris Greenway Steve Huggins/ SDO Walsh
47.	RACE EQUALITY SCHEME – RACE RELATIONS ACT	
	Steve Huggins had been asked by the BAEM section of the FBU whether ESFRS had a Race Equality Scheme as required under the Race Relations Act. George Wippich had a copy of Kent's scheme and would forward it to SDO Ashley to draft into our scheme.	
ACTION	George Wippich to see SDO Ashley to progress scheme.	SDO Ashley/ George Wippich
48.	HARASSMENT ADVISERS	
	It was noted that the network of harassment advisers had received further training from Andy Tate and were now better equipped to interview complainants. It was hoped to have a Manual note in place for the Group's next meeting which would detail the processes to be followed and enable the recording and monitoring of statistics for BVPIs, as well as clarifying the roles and responsibilities of advisers. Chris Greenway and ADO Mahoney would meet to progress this.	
ACTION	Chris Greenway and ADO Mahoney to progress.	Chris Greenway/ ADO Mahoney
49.	REPRESENTATIVES/WORKING GROUP REPORTS	
	(a, b, c, d, e) FBU, UNISON, TGWU, FOA and Directorate Reps	
	Nothing to report	
	(f) Others	
	ACFO Large reported that CACFOA was now called CFOA. The CFO, SDO Walsh and SDO Ashley would be attending a seminar at Wembley on 8 and 9 July 2004 which CFOA was arranging on the subject of raising awareness regarding multi-faith communities.	
50.	URGENT ITEMS	
	There were no urgent items to report.	

51.	DATE AND TIME OF NEXT MEETINGS	
	A further meeting would be convened following the next CMT meeting – ACFO to advise. Further meetings have been arranged for Thursday, 2 September and Thursday, 18 November 2004 at 10:00 hrs in the Main Conference Room, FRS HQ.	
ACTION	Convene additional meeting following CMT.	Sue Klein/ ACFO Large
	The meeting ended at 11.14hours	

g/spg/acfo/general/equality&fairness advisory group/efag minutes 04.05.20

ACTIONS		
14(i)(b)	Draft Manual re Working Time Directive to be returned to this Group once completed.	Chris Greenway
14(ii)	Report back to next meeting on ACAS guidance on age discrimination.	Chris Greenway
14(v)	Insurance cover to be progressed.	Daryll Luxford
14(viii)	ACFO Large to ask Suzanne Gooch to look for potential suppliers of posters.	Suzanne Gooch/ ACFO Large
31.	ACFO Large to ask Tom Kelly whether HRA training could be included in his training.	ACFO Large
32.	Chris Greenway progressing review of manuals re Employment Equality Sexual Orientation Legislation policies.	Chris Greenway
42.	ACFO Large to inform CMT that Group endorsed Tom Kelly's report and request for training sessions to pick up on more contentious issues. ACFO Large to reconvene meeting of Group following CMT.	ACFO Large Sue Klein/ ACFO Large
44.	ACFO Large to suggest to CMT carrying out a trial of wearing of the same coloured shirts by all uniformed staff and the removal of rank markings.	ACFO Large
45.	ACFO Large to chase up SDO Walsh for draft guidance on overtime.	ACFO Large
46.	SDO Ashley to discuss draft temporary promotion procedures with Steve Huggins, SDO Walsh and Chris Greenway.	SDO Ashley/ Chris Greenway Steve Huggins/ SDO Walsh
47.	George Wippich to see SDO Ashley to progress Race Equality Scheme.	SDO Ashley/ George Wippich
48.	Chris Greenway and ADO Mahoney to progress Manual note for Harassment Advisers.	Chris Greenway ADO Mahoney

Agenda Item No 15

EAST SUSSEX FIRE & RESCUE SERVICE

ESF&RS Committee

Corporate Management Team

Date: **6 May 2004**

Title: **Duty to Promote Race Equality**

By: **Director of Service Support**

Purpose of Report: **To advise Corporate Management Team on the progress made towards promoting race equality in ESFRS**

RECOMMENDATION: Corporate Management team is asked to note the contents of this report.

MAIN ISSUES

1. There are two means of measuring racial equality in the fire & rescue services, the Equality Standard and Best Value Performance Indicators.
2. The Equality Standard provides a systematic framework for the mainstreaming of equality.
3. There are five levels of Equality Standard with Level 5 being the highest level, ESFRS has achieved Level 2 and is on the way towards Level 3.
4. There are five Best Value Performance Indicators related to BVPI's. ESFRS has made good progress in some areas but still has a long way to go in others.
5. There is a need to increase awareness of black and ethnic minority issues in the service and a need to recruit more staff from this underrepresented group.

Dick Ashley
Director of Service Support

6 May 2004

Background Papers

The Equality Standard for Local Government - Joint Report of the Commission for Racial Equality, the Disability Rights Commission, the Equal Opportunities Commission and the LGA (2001)

1. **INTRODUCTION:**

1.1 East Sussex Fire & Rescue Service currently has two means of measuring progress towards racial integration into the workforce. They are:

1.1.1 The Equality Standard for Local Government.; and

1.1.2 Best Value Performance Indicators

1.2 This report aims to explain both measuring methods and the progress made against each standard.

2. **THE EQUALITY STANDARD FOR LOCAL GOVERNMENT**

2.1 The Equality Standard provides a framework for levels of achievement in delivering equality of employment and service delivery. It is not solely a tool for measuring racial integration, it also measures inequality for other underrepresented members of the community.

2.2 The Standard is a means to combat the institutional processes that lead to discrimination and which form part of the culture, administration and governance in Britain. Current assumptions and practices can set up barriers that prevent access and can therefore discriminate against people through race, gender and disability.

2.3 The Equality Standard allows local authorities to mainstream equality, thereby ensuring that discriminatory barriers that prevent equal access to services and employment are identified and removed.

2.4 The Standard provides a common approach for dealing with equality for race, gender and disability. This is important because it addresses all equality issues using the same framework and indicates that there is no 'hierarchy of discrimination'. It also underlines the inter-relationship of equality issues.

2.5 The Equality Standard is a way of working within local authorities that ensures the mainstreaming of equalities into service delivery and employment are an issue for all aspects of the local authority's work.

2.6 By working through the Standard, authorities are able to identify any disadvantages associated with gender, disability and race at work to eliminate the barriers that will create disadvantage.

2.7 Using five levels, local authorities are expected to introduce a comprehensive and systematic approach to dealing with equalities. These levels cover all aspects of policy-making, service delivery and employment.

2.8 The Equality Standard:

2.8.1 Provides a systematic framework for the mainstreaming of equality;

2.8.2 Helps local authorities to meet their obligation under the law;

2.8.3 Integrates equality policies and objectives with Best Value;

2.8.4 Encourages the development of anti-discriminatory practices appropriate to local circumstances;

2.8.5 Provides a basis for tackling all forms of institutionalised discrimination; and

2.8.6 Provides a framework for improving performance.

2.9 The Standard places considerable emphasis on the establishment of key processes within local authorities. There are five levels of achievement in the Equality Standard, they are:

- 2.9.1 Level 1: commitment to a Comprehensive Equality Policy
- 2.9.2 Level 2: assessment and consultation
- 2.9.3 Level 3: setting equality objectives and targets
- 2.9.4 Level 4: information systems and monitoring against targets
- 2.9.5 Level 5: achieving and reviewing outcomes
- 2.10 East Sussex Fire & Rescue Service (ESFRS) achieved Level 1 when the Standard was introduced. Level 2 was achieved in 2001.
- 2.11 Achievement of Level 2 means that ESFRS has a comprehensive equality policy with a commitment to review and change policies where necessary. It extends to the planning and initiation of a series of processes across ESFRS and recognises partnership with black and ethnic minority groups and associations.
- 2.12 Level 2 also means that ESFRS has carried out an impact and needs/requirement assessment. The evidence of this is:
 - 2.12.1 ESFRS produces documentation of objective setting and a planning framework;
 - 2.12.2 There is a Corporate Equality Plan (CEP) published;
 - 2.12.3 The consultation strand of the CEP is clearly developed;
 - 2.12.4 Any reports on consultation in the community are published; and
 - 2.12.5 The self-assessment, scrutiny and audit strand of the CEP is clearly developed.
 - 2.12.6 The next aim for ESFRS is to consolidate Level 2 and work towards achieving Level 3. To do this there is a need to set equality objectives and targets. The requirements to achieve Level 3 are broken down into a number of categories and then sub-categories detailing the actions required. Level 3 will be achieved when the following is complete:
 - 2.12.7 **Leadership and Corporate Commitment**
 - 2.12.7.1 Ensure that all departments and service areas set targets based on equality objectives;
 - 2.12.7.2 Establish corporate guidelines/prescriptions for information gathering and equality monitoring;
 - 2.12.7.3 Seek agreement on equality targets with partners in local 'partnerships';
 - 2.12.7.4 Establish mechanisms for ensuring that equality targets are met by suppliers through contract management;
 - 2.12.7.5 Ensure completion of equality action plans at department and service level incorporating performance indicators;
 - 2.12.7.6 Adopt where appropriate national target/PI's as prescribed by Government departments or by the Audit Commission;
 - 2.12.7.7 Implement systems for reviewing progress and revising CEP and department action plans;
 - 2.12.7.8 Members and senior officers to endorse action plans as appropriate;
 - 2.12.7.9 Link action plan to Best Value process; and
 - 2.12.7.10 Ensure that action on targets has started.

- 2.12.8 **Consultation and Community Development and Scrutiny**
- 2.12.8.1 Make public all service level and employment action objectives and targets that are available for consultation and scrutiny;
- 2.12.8.2 Make provision of language services appropriate to designated consultation and scrutiny groups;
- 2.12.8.3 Completion of a full and systematic consultation process with designated community, staff and stakeholder groups;
- 2.12.8.4 Consult on involving designated community, staff and stakeholder groups with scrutiny procedures;
- 2.12.8.5 Consultation on equality to be linked with the continuing development of the 'Community Strategy'; and
- 2.12.8.6 Publicise how, where and when action on targets will start.
- 2.12.9 **Service Delivery and Customer Care**
- 2.12.9.1 Complete access to services element of CEP and ensure consistency with the Race Equality Scheme;
- 2.12.9.2 Equality objectives and targets developed within each department/service area;
- 2.12.9.3 Service planning to specifically address the importance of barriers, accessibility and reasonable adjustment in the provision of services;
- 2.12.9.4 Allocation of appropriate resources to achieve targets;
- 2.12.9.5 Establish structures of responsibility at departmental and service level to progress action plans;
- 2.12.9.6 Set timetable within action plans for creating/adapting information and monitoring systems within service areas
- 2.12.9.7 For agencies delivering services on behalf of the local authority, include within contracts a requirement to deliver an effective and appropriate service, fairly and without unlawful discrimination;
- 2.12.9.8 Establish monitoring of contracts to secure equal employment and equal service delivery targets; and
- 2.12.9.9 Start action plan on departmental and service area targets.
- 2.12.10 **Employment and Training**
- 2.12.10.1 Complete employment section of the CEP and ensure consistency with the Race Equality Scheme;
- 2.12.10.2 Set employment targets for recruitment, staff retention, workforce profiles;
- 2.12.10.3 Conduct an equal pay review and plan for equal pay adjustment;
- 2.12.10.4 Ensure that staff and Members are aware of action plans and the implications for services and employment;
- 2.12.10.5 Provide training for managers on the implementation of the Standard with contractors and partners;
- 2.12.10.6 Training for all staff involved in recruitment on the Equality Standard, setting service objectives, action planning and monitoring, consistent with the training arrangements set out in the Race Equality Scheme;

- 2.12.10.7 Provide training for all staff on the detailed implementation of the Equality Standard including action plans and updates on legal and other developments;
- 2.12.10.8 Build equality objectives and targets into management appraisal mechanisms;
- 2.12.10.9 Provide information and appropriate training on action plans to support scrutiny process;
- 2.12.10.10 Establish a system of guidance and training on relevant equality issues to short-listing panels and interviewers; and
- 2.12.10.11 Start action on all employment and pay targets.

2.13 Clearly a number of the areas have been achieved already but some still have some way to go. It is the aim of ESFRS to achieve Level 3 within two years.

2.14 Best Value PI's for 2001/2 show ESFRS as being in the top 25% of all fire & rescue services as we have achieved Level 2. The Family Group average for 2001/2 was Level 1, therefore we are performing reasonably well however complacency must not set in.

3 **BEST VALUE PERFORMANCE INDICATORS (BVPI)**

3.1 BVPI 2, 2b, 11b, 17a and 17b are the indicators that relate to race equality issues. They are:

3.1.1 BVPI 2: The level of Equality Standard for Local Government to which the authority conforms;

3.1.2 BVPI 2b: The duty to promote race equality;

3.1.3 BVPI 11b: The percentage top 5% of earners from black and ethnic minority groups;

3.1.4 BVPI 17a: Percentage of ethnic minority uniformed staff; and

3.1.5 BVPI 17b: Percentage of minority ethnic community population of working age in the Brigade area.

4 **BVPI 2. THE LEVEL OF EQUALITY STANDARD FOR LOCAL GOVERNMENT TO WHICH THE AUTHORITY CONFORMS**

4.1 This BVPI relates to the Equality Standard described in Section 2 of this report. Currently ESFRS is at Level 2, the maximum level being Level 5.

5 **BVPI 2b. THE DUTY TO PROMOTE RACE EQUALITY**

5.1 This is a new indicator for 2003/4. The PI asks two questions 'Does the authority have a Race Equality Scheme?' and 'Are there continuing improvements for race equality from application of the RES?'

5.2 The two questions are further broken down into 19 sub-questions. A positive answer to each question earns an authority one point. The percentage out of 19 is then calculated and this is the PI.

5.3 For ESFRS there were positive answers to:

5.3.1 Does the authority have a Race Equality Scheme (RES) in place?

5.3.2 Is the RES reviewed regularly by the authority?

5.3.3 Is the RES owned by the Council members and senior officers who share responsibility for ensuring outcomes are met and are involved in reviews of the scheme?

5.3.4 Is there evidence of measurable improvements in respect of improving staff perceptions of all equal opportunities for all ethnic groups and reducing any differences?

- 5.4 Four positive answers out of 19 scores 21% for ESFRS, this is considerably below the target for 2003/4 of 66%. The reason for this is that very little work was carried out at a practitioner level on racial equality matters during 2003/4.
- 5.5 In order to improve the scoring for 2004/5 it will be necessary to clarify a number of matters in the RES and to show measurable improvements in the application of RES.
- 6 **BVPI 11b: THE PERCENTAGE TOP 5% OF EARNERS FROM BLACK AND MINORITY ETHNIC GROUPS**
- 6.1 Currently this is rated as 0% and there appears to be no members of existing staff likely to attain this level of earnings in the short or long term. The only chance of improving this score is if a member of the black or ethnic minority community is recruited into ESFRS at a high level in the organisation. With the revocation of the restrictive Appointment and Promotion Regulations there is a chance that this could happen.
- 7 **BVPI 17a: PERCENTAGE OF ETHNIC MINORITY UNIFORMED STAFF**
- 7.1 This is calculated on the percentage of the actual strength of the fire & rescue service and not the establishment.
- 7.2 At just over 1% we are still above the average for our family group and in the top 25% of fire & rescue services in the country. This is still unacceptable as the percentage of resident population who are regarded as members of the black and ethnic minority community is 3% (see 8 below), therefore considerable work is required in this area.
- 7.3 Recruiting for the next Trainee Firefighters course, which might take place in the Spring of 2005, should target people from black and ethnic minority groups as well as women.
- 8 **BVPI 17b: PERCENTAGE OF MINORITY ETHNIC COMMUNITY POPULATION OF WORKING AGE IN THE BRIGADE AREA**
- 8.1 This is set at 3%. ESFRS cannot influence this figure as it is based on the actual population in the area.
- 9 **SUMMARY**
- 9.1 East Sussex Fire & Rescue Service (ESFRS) has made significant inroads to improving its standing regarding the issue of race equality. However there is still a long way to go before we can truly say that we are a service fully integrated into the community.
- 9.2 Positive matters are the achievement of Level 2 of the Equality Standard, this includes issues other than race equality such as gender and disability. The achievement of Level 3 is some way off but many areas have already been achieved and others are in the process of being dealt with.
- 9.3 Level 2 puts ESFRS ahead of the Family Group average and in the top 25% of all fire & rescue services in the country.
- 9.4 Similarly our standing in the number of members of the black and ethnic minority communities that are employed, whilst below the average for the area, is still high when compared to other services in our family group and in the country.
- 9.5 Considerable work is still necessary to fully embrace equality and fairness at work and in the provision of our services. Service Support Directorate, in the form of Personnel Services and Equal Opportunities, will lead for ESFRS in this area.