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## NATIONAL JOINT COUNCIL FOR LOCAL AUTHORITY FIRE AND RESCUE SERVICES

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To: Chief Fire Officers  
Chief Executives/Clerks to Fire Authorities  
Chairs of Fire Authorities  
Directors of HR (Fire Authorities)  
Members of the National Joint Council

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17 June 2016

### CIRCULAR NJC/6/16

Dear Sir/Madam,

#### Inclusive Fire Service Group - update

1. This circular provides an update on the matter of the NJC-led Inclusive Fire Service Group.
2. As part of its continuing commitment to consider equality, diversity, cultural and behavioural issues within the Fire & Rescue Service the NJC decided to lead on a piece of work to assess the current position and to identify guidance in relation to any further strategies that could be used at local level to further encourage improvement in equality, diversity and cultural issues. It was further agreed to invite interested parties such as the Chief Fire Officers Association, Fire Officers Association and Retained Firefighters Union to be involved.
3. The group is chaired by the Independent Chair of the NJC who provided the attached report, on behalf of the group, to the recent meeting of the NJC outlining the work undertaken to date (**Appendix A**).
4. The report included a number of recommendations to the NJC, all of which were accepted:
  - (a) that the group undertake work to provide national guidance on data collection, recording and monitoring;
  - (b) In addition to (a), the NJC will undertake a periodic national exercise monitoring a number of key indicators primarily to be able to measure improvement and to be able to identify themes and if necessary provide further support and guidance. This will be carried out by this group or potentially a smaller form of the group; and
  - (c) that the group continue its work to explore a number of key indicators, issues and trends further, including those listed below, in order to better inform potential improvement strategies:
    - The low levels of female and BME representation across the uniformed workforce
    - The proportionally low levels of female and BME progression through the roles
    - Bullying and harassment issues
    - The lack of available data on LGBT uniformed personnel
    - Encouraging management commitment to consistently instigate and promote equality and diversity initiatives
    - Levels of grievance/discipline cases involving women and BME uniformed employees

5. The report also included the analysis of the survey of fire authorities. Since the meeting of the NJC an executive summary of that survey analysis has also been prepared (**Appendix B**).
6. The group also intends to issue guidance in respect of Personal Use of Social Media policies.
7. Equality and Diversity advisers within FRAs may also find this circular to be of interest.

Yours faithfully  
**SIMON PANNELL**  
**MATT WRACK**  
Joint Secretaries

## **Report of the Inclusive Fire Service Group**

### **Background**

1. As part of its continuing commitment to consider equality, diversity, cultural and behavioural issues within the Fire & Rescue Service the NJC decided to lead on a piece of work to assess the current position and to identify guidance in relation to any further strategies that could be used at local level to further encourage improvement in equality, diversity and cultural issues. It was further agreed to invite interested parties (CFOA, FOA and RFU) to be involved. A list of group members is attached (**Appendix A**).
2. Since its formation in October 2015 the group has met on four occasions.
3. To meet its remit the group decided to:
  - i. Undertake a survey to establish information on the current position and identify specific strategies to help FRSs to improve.
  - ii. Identify, with a view to sharing, good practice and guidance
    - a. from within the Fire & Rescue Service
    - b. from other areas of public sector
    - c. from bodies such as ACAS
  - iii. Produce personal use of social media policy guidance dealing with the employer/employee boundaries – to provide a framework to cope with evolving social media issues.
  - iv. identify organisations working with under-represented groups, inviting them to input into the group's work (either in writing or by attending and presenting at a meeting)
4. The NJC has received updates as work has progressed.

### **Current position**

#### Survey

5. A comprehensive survey of FRAs sought information on a range of relevant matters including discipline and grievance cases spanning a five-year period to see if any themes emerged in terms of gender, age, sexuality and disability. This objective has been hampered by inconsistency in the extent of data recording across FRAs and by varying terminology and lack of detail in many cases e.g. grievance cases being recorded simply as due to 'a management decision'. Not all could provide data for the full period.
6. It is therefore recommended to the NJC that the group should undertake work to provide national guidance on data collection, recording and monitoring. In addition, it is proposed that the NJC should undertake a periodic national exercise monitoring a number of key indicators primarily

to be able to measure improvement, facilitate local benchmarking and be able to identify themes and if necessary provide further support and guidance. This may be carried out by this group or potentially a smaller form of the group.

7. The survey also sought information in respect of an FRA's Equality Framework status. Whilst a number of FRAs were classified either as 'achieving' or 'excellent' the group felt that the external facing elements of the Framework may be out-weighing internal elements. It would be useful if the peer challenge process increase its focus on workforce equality and diversity issues. As far as the longer term future in England is concerned it may be that the government intention to reintroduce an inspectorate may also look at such issues. The LGA has been advised of the group's views.
8. Virtually all responding FRAs (41 in total) indicated that they had in place policies relating to use of social media.
9. FRAs were asked to provide copies of recent staff surveys or cultural audits and to identify formal and informal support networks affiliated to their FRA.
10. The group was aware of the environment the fire and rescue service has been operating within over recent years with low levels of wholetime recruitment, difficulty in places with retained duty system recruitment, and the overall reduction in employee numbers. However that should not prevent it developing strategies for improvement to support FRs improving the proportion of employees from under-represented groups in the future.
11. When used alongside the separate most recent NJC Workforce survey outcomes which was responded to by all but one FRA, indications across the service\* are:
  - Women make up 7.9% of the wholetime and part-time workforce including control employees.(up 0.6% since 2010)
  - 70% control employees are women
  - 4.4% retained duty system employees are women
  - 4.8% wholetime and part-time firefighters to area managers are women
  - 3.2% black and ethnic minority employees (down 0.6% since 2010)
  - 1.5% of uniformed female employees in managerial roles with numbers even lower (and thus unreportable) for BME employees
  - 64% of the workforce is over 40
12. A copy of the full survey report is attached (**Appendix B**).
13. Having considered the report in detail the group recommends to the NJC that it continue its work to explore a number of key indicators, issues and trends further in order to better inform potential improvement strategies.

These include:

- The low levels of female and BME representation across the uniformed workforce
- The proportionally low levels of female and BME progression through the roles
- Bullying and harassment issues
- The lack of available data on LGBT uniformed personnel
- Encouraging management commitment to consistently instigate and promote equality and diversity initiatives
- Levels of grievance/discipline cases involving women and BME uniformed employees

#### Personal use of social media

14. At its last meeting the group considered a second draft guidance document which incorporated earlier views and comments. Work is currently taking place to produce a final version with the intention of issuing to FRAs alongside a recommendation to:
  - review existing policies in the light of the guidance
  - consider at local level launching/relaunching their own policy including appropriate training with groups of employees (including managers) to reinforce the messages
  - keep the local policy under frequent review due to the evolving nature of social media.

#### Identification of organisations working with under-represented groups

15. The following organisations, which include those outside of the service were invited to attend or make written submissions to the last meeting of the group:
  - Joint FBU response covering – Black & Ethnic Minority members, Lesbian, Gay, Bisexual and Trans members, National Women's Committee
  - Women in the Fire Service
  - Asian Fire Service Association
  - QUILTBAG
  - Business Disability Forum
  - Stonewall
  - Women in the Police Force
  - TUC (focus on disability)
  - MIND
  - UNISON – Control Staff specific
  - GMB – Control Staff specific
16. Responses were not received from UNISON. The TUC and the Business Disability Forum were unable to provide a response in time due to internal communications issues but have indicated they would like to input into the group at a later stage.

17. Each organisation was asked to consider a number of questions covering:
- Have you identified any trends or patterns in your day-to-day impression of the FRS?
  - What do you see as the barriers to career progression for women, BME, LGBT, and uniformed personnel with a disability in the FRS and what do you see as the barriers to their recruitment?
  - Have you identified successful initiatives/strategies in the fire service and what do you think made them successful?
  - What areas do you believe we should focus on to drive improvement in culture and behaviour?
  - How do we ensure we drive and embed improvement?
  - Have you any direct evidence or research to offer which will help us understand underpinning issues with more clarity?
  - Are you aware of any initiatives that have either worked well or not had the desired outcomes in other organisations?
  - What would be your main priorities in order to address the issues you have raised?
18. A large amount of valuable information has been provided in response which is currently being analysed. The initial assessment is that there are varying levels of engagement with such groups across FRSs. An overarching message from all respondents was the importance of management commitment to consistently instigate and promote equality and diversity initiatives.
19. The group intends to use that analysis to inform its thinking on the issues identified in paragraph 13 above, in developing improvement strategies and as part of pulling together best practice into one place.

### Conclusion

20. The NJC is asked to consider the following recommendations:
- (a) that the group undertake work to provide national guidance on data collection, recording and monitoring (reference paragraph 6);
  - (b) In addition to (a), the NJC should undertake a periodic national exercise monitoring a number of key indicators primarily to be able to measure improvement and to be able to identify themes and if necessary provide further support and guidance. This may be carried out by this group or potentially a smaller form of the group (reference paragraph 6); and
  - (c) that the group continue its work to explore a number of key indicators, issues and trends further in order to better inform potential improvement strategies (reference paragraph 13 above).

**Professor Linda Dickens**  
**Independent Chair on behalf of the IFS Group**  
**JUNE 2016**

**Inclusive Fire Service Group**

Chair:

Professor Linda Dickens, Independent Chair of the NJC for Local Authority Fire and Rescue Services and the Middle Managers Negotiating Body

| <b>Name</b>                          | <b>Organisation</b>                    | <b>Job Title</b>                                          |
|--------------------------------------|----------------------------------------|-----------------------------------------------------------|
| John McGhee                          | FBU                                    | For Employee's Side Joint Secretary                       |
| Gill Gittins                         | LGA                                    | For Employer's Side Joint Secretary                       |
| Dany Cotton                          | NJC Employer representative (LFB)      | Director of Safety and Assurance                          |
| Ann Millington                       | NJC Employer representative (Kent FRS) | Chief Officer and National Employer Advisory Forum member |
| Tam McFarlane                        | NJC Employee representative            | FBU Executive Council Member                              |
| Kevin Brown (up until December 2015) | NJC Employee representative            | FBU Executive Council Member                              |
| Samantha Rye (from January 2016)     | NJC Employee representative            | National Women's Committee Secretary                      |
| Ade Robinson                         | Fire Officers' Association             | Assistant Chief Executive                                 |
| Catherine Reeve                      | Fire Officers' Association             | Station Manager                                           |
| Paul Hancock                         | CFOA (Cheshire FRS)                    | Chief Fire Officer                                        |
| Stuart Errington                     | CFOA (Durham & Darlington FRS)         | Chief Fire Officer                                        |
| Tristan Ashby                        | RFU                                    | Deputy Chief Executive Officer                            |
| Anthony Morgan                       | RFU                                    | President                                                 |

**Advisers**

|                     |                                                                |                                                                                |
|---------------------|----------------------------------------------------------------|--------------------------------------------------------------------------------|
| Bob Warren          | NJC Employer representative (Lancashire FRS)                   | Director of People and Development and National Employer Advisory Forum member |
| Susan Ellison-Bunce | NJC Employer representative (LFB)                              | Head of Strategy and Performance                                               |
| Lorna Harrison      | NJC Employer representative (Scottish Fire and Rescue Service) | People & Organisational Development Manager                                    |

# **National Joint Council for Local Authority Fire and Rescue Services**

## **Inclusive Fire Service – Cultural & Behavioural Survey**

### **Final Report**

# **NATIONAL JOINT COUNCIL FOR LOCAL AUTHORITY FIRE AND RESCUE SERVICES**

## **Inclusive Fire Service – Cultural & Behavioural Survey: Final Report**

### **Introduction**

1. The National Joint Council (NJC) decided to further develop its commitment to equality, diversity, behavioural and cultural issues and subsequently set up this Inclusive Fire Service Group which has a remit to:
  - (i) Assess the current position in respect of equality, diversity, behavioural and cultural issues; and
  - (ii) Identify guidance in relation to any further strategies that could be used at local level to further encourage improvement.
2. At its initial meeting the group explored the current position with regards to information and data collected by Fire & Rescue Services (FRSs) - what information/data is known already, identification of what further information is needed and how the data is currently collected and monitored and if that should need to change in the future. To inform this piece of work it was agreed by the group to survey FRSs. The intention was to get an overview of the current position of where FRSs are with regards to their equality and diversity policies; where they sit on the FRS Equality Framework spectrum; which policies and initiatives FRSs have in place (for example social media policies); any internal support mechanisms; and identification of any cultural or behavioural trends relating to grievance cases and formal level disciplinary cases.
3. Fire and Rescue Services were therefore asked to provide the following information:
  - a) Staff surveys & cultural audits
  - b) Numbers of grievance and disciplinary cases - broken down by issues and by demographic categories (gender, ethnicity, sexual orientation, age & disability) over a five-year period (2010 -2015)
  - c) Policies and documentation on: the use of social media, Public Sector Equalities Duty, the FRS Equality Framework in England and Public Sector Equality Duty in Wales.
4. The survey was completed and returned by 45 FRSs representing 90% of FRSs across England, Wales, Scotland and Northern Ireland. Responses were received from all fire authority governance structures - counties, metropolitans, single service, combined fire authorities (CFAs) and London {LEFPA}. Responses covered all geographic regions to give a comprehensive picture of equality and diversity policies and issues across the Fire Service.

## Methodology

5. The survey was sent to all HR Directors in FRAs across England, Scotland, Northern Ireland and Wales. It comprised of a number of questions relating to the use of staff surveys and cultural audits, social media policies, the Public Sector Equalities Duty and the FRS Equality Framework.
6. Detailed information was also requested in respect of {formal stage} discipline cases and grievance cases broken down by demographic categories (gender, ethnicity, sexual orientation, age & disability) over a five-year period (2010 -2015). The full questionnaire can be found in **Appendix A**.
7. Of the 45 survey responses received, six sets of responses were incompatible for the purposes of this report for varying reasons; data not collected or recorded by demographic categories, data not collected until recently etc. Therefore, the sample base for the Disciplinary and Grievance section/data of this report is 39 FRAs (78% of FRAs across England, Scotland, Northern Ireland and Wales and in this instance equates to 37,545 (out of 49,111) whole-time, part-time and retained (RDS) uniformed personnel covered by the Grey Book. The sample size for all other areas (social media policy, FRS Equalities Framework etc.), however, is compiled from all 45 FRA responses.
8. Workforce information was also taken from the most recent NJC Workforce Survey, which was carried out in 2015. This was the source of data for demographic breakdowns for gender, ethnicity and age groups as well as the breakdown by gender of each role in the fire service. Due to very small numbers it isn't possible to do a comparative breakdown by role of BME uniformed personnel.
9. Both sets of data refer to 'uniformed personnel' which can be defined as 'personnel that fall within the remit of the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service (Grey Book) – firefighter to area manager inclusive'
10. Generic categories of reasons for disciplinary cases and grievances were chosen from common themes running through the responses

### Reason for disciplinary action:

|                                           |                                         |
|-------------------------------------------|-----------------------------------------|
| 1. Assault                                | 14. Inappropriate Behaviour             |
| 2. Breach of FRA Policies & Procedures    | 15. Misuse Authorities Facilities       |
| 3. Falsifying records                     | 16. RDS Attendance                      |
| 4. Conduct/Misconduct                     | 17. Secondary Employment w/o permission |
| 5. Driving                                | 18. Secondary Employment Sick leave     |
| 6. Breach of H&S regulations              | 19. Unauthorised absence/AWOL           |
| 7. Criminal Charge/Conviction             | 20. Unfit work alcohol/drugs            |
| 8. Failed Drug/Alcohol Test               | 21. Misuse of IT                        |
| 9. Fail/refuse Line Managers Instructions | 22. Misuse of Social Media              |
| 10. Financial irregularities              | 23. Sickness                            |
| 11. Theft                                 | 24. Competence                          |
| 12. Fraud                                 | 25. Performance                         |
| 13. Bullying/Harassment                   | 26. Not recorded                        |

## Reason for grievance:

|                           |                          |
|---------------------------|--------------------------|
| 1. Bullying/Harassment    | 8. Management decisions  |
| 2. Promotion processes    | 9. Sickness process      |
| 3. Disciplinary processes | 10. Paternity leave      |
| 4. Working relationships  | 11. Flexible working     |
| 5. Unfair treatment       | 12. Transfers            |
| 6. Secondary Employment   | 13. Management decisions |
| 7. RDS issues             | 14. Not recorded         |

## Caveats

11. Terminology and interpretation of responses - there is no uniform way in which FRAs classify discipline and grievance cases. Some FRAs had more simplified/rigid reporting categories whilst others were more descriptive and had a multitude of reasons that in some cases had to be interpreted to fit the agreed categories (as above).
12. Every effort was made to conduct this piece of research as methodically and as accurately as possible. The differing levels of detail and accuracy from each individual FRA means there will be slight discrepancies, but this should not impact on the findings produced in this final report. This can be attributed to many FRAs only collecting very basic information on grievances during the years 2010-2012/13 whilst collecting more detailed data for disciplinary cases over the same period. For completeness and to give a more accurate picture of the amount of grievance cases it was decided to include this data in the overall numbers of the survey. This will not, however, have any impact on the results in other demographically broken down sections of the survey which are analysed by percentages and numbers in each of their individual fields.

## Demographic Overview of the Fire & Rescue Service

13. Information obtained from the recent NJC Workforce survey, completed by all but one FRA and carried out in 2015 counted 33,565 whole and part-time personnel, split between 31,965 personnel in firefighting roles and 1,600 in control specific roles. Overall there were 49,111 uniformed personnel in the Fire & Rescue Service which includes 15,546 retained personnel (RDS). The figures obtained show the majority of the workforce are over 40 years old.
  - In firefighting roles (all those covered by Grey Book terms and conditions excluding control staff), 95% of personnel were male but in control specific roles 70% of personnel were women. Among those on the retained duty system 96% were male.
  - 5% of personnel in firefighting roles and 3% in control specific roles came from black and minority ethnic groups. Among retained personnel 1% came from a black and minority ethnic background.
  - The average age of personnel was 42 for those in firefighting roles, 43 for those in control specific roles and 40 for those on the retained duty system.

## Gender, Women in their Role in the Fire & Rescue Service

14. Women made up 7.9% (2662) of the whole-time and part-time workforce. This represented a rise of 0.6%, from 7.3%, since the last Workforce Survey in 2010. This figure comprised

1121 women in control roles (70%) and 1541 women in firefighter to area manager roles (4.8%). The figure excluded retained duty system employees, of which 4.0% (559) were women. The over-arching percentage of women, including all uniformed staff i.e. whole-time, part-time, retained duty system and control employees, was 6.5% (3220). Overall the position was significantly less, for example, than the numbers of serving women police officers (in England and Wales) which rose from 25.7% in 2010 to 28.2% in 2015, an increase of 2.5% over five years.

15. The figures in Table 1 below illustrate proportional under-representation of woman in managerial roles (Crew Manager and above) when compared with the percentage across the whole-time workforce with just 477 women (1.5%) working above that of a competent firefighter.

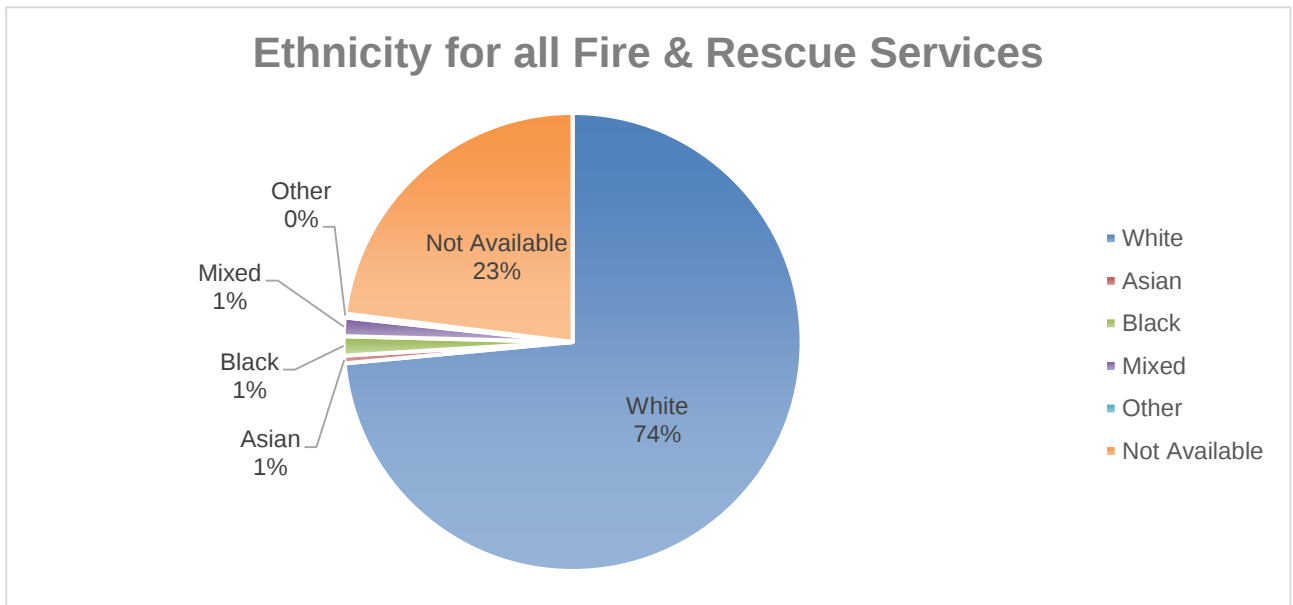
**Table 1: Number and percentage of WTF personnel by gender within each role**

| Firefighting roles                  | Male          |           | Female       |          | Total         |
|-------------------------------------|---------------|-----------|--------------|----------|---------------|
|                                     | Number        | Per cent  | Number       | Per cent | Number        |
| Firefighter – Trainee               | 29            | 85        | 5            | 15       | 34            |
| Firefighter – Development           | 215           | 89        | 28           | 11       | 243           |
| Firefighter – Competent             | 18,227        | 94        | 1,064        | 6        | 19,291        |
| Crew Manager – Development          | 426           | 95        | 21           | 5        | 447           |
| Crew Manager – Competent            | 4,166         | 96        | 156          | 4        | 4,321         |
| Watch Manager – Development         | 271           | 93        | 22           | 7        | 293           |
| Watch Manager - Competent A         | 1,679         | 96        | 66           | 4        | 1,745         |
| Watch Manager - Competent B         | 2,807         | 97        | 101          | 3        | 2,908         |
| Station Manager – Development       | 129           | 97        | 4            | 3        | 133           |
| Station Manager - Competent A       | 442           | 98        | 9            | 2        | 451           |
| Station Manager - Competent B       | 1,140         | 97        | 31           | 3        | 1,171         |
| Group Manager – Development         | 46            | 90        | 5            | 10       | 51            |
| Group Manager - Competent A         | 135           | 97        | 4            | 3        | 139           |
| Group Manager - Competent B         | 527           | 96        | 20           | 4        | 547           |
| Area Manager – Development          | 21            | 100       | -            | -        | 21            |
| Area Manager - Competent A          | 23            | 96        | 1            | 4        | 24            |
| Area Manager - Competent B          | 140           | 97        | 4            | 3        | 144           |
| <b>Total WTF Firefighting Roles</b> | <b>30,424</b> | <b>95</b> | <b>1,541</b> | <b>5</b> | <b>31,965</b> |

## **Ethnicity and the Fire & Rescue Service**

16. Of the personnel in firefighting roles for whom information on ethnic origin was provided 5% were from black and minority ethnic (BME) groups (compared with 3.2% in total, including control staff), this figure was the same for men but slightly lower for women where 4% of personnel were from BME groups.

**BME employees: 3.2%**



17. Among those in control specific roles for whom ethnic background information was available 3% were from a BME group with 4% of men and 3% cent of women belonging to a BME group. These findings are shown in Table 2.

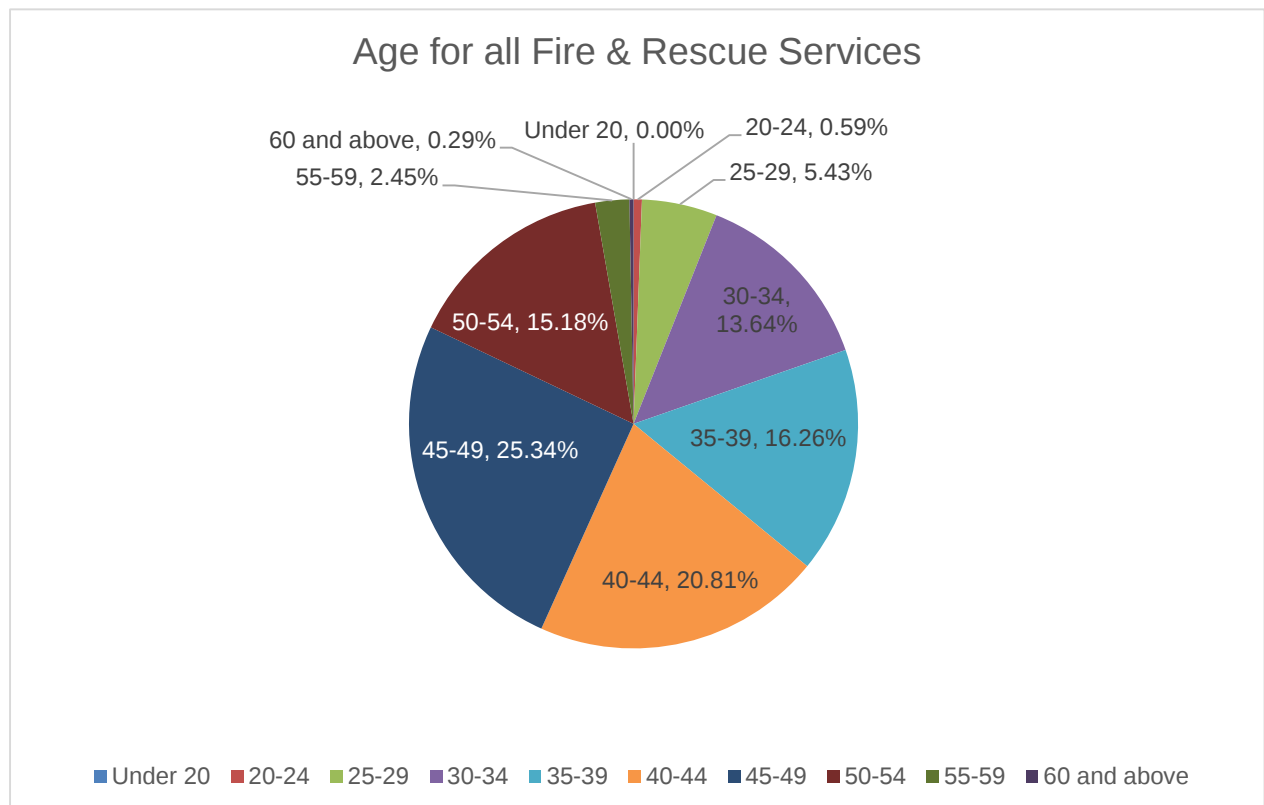
**Table 2: Distribution of personnel by gender and ethnic origin (per cent)**

| Firefighting roles     | Male  |     | Female |     | Total |     |
|------------------------|-------|-----|--------|-----|-------|-----|
|                        | White | BME | White  | BME | White | BME |
| Whole-time             | 95    | 5   | 96     | 4   | 95    | 5   |
| Part-time              | 96    | 4   | 98     | 2   | 97    | 3   |
| All                    | 95    | 5   | 96     | 4   | 95    | 5   |
| Control specific roles | Male  |     | Female |     | Total |     |
|                        | White | BME | White  | BME | White | BME |
| Whole-time             | 96    | 4   | 97     | 3   | 97    | 3   |
| Part-time              | 100   | -   | 96     | 4   | 97    | 3   |
| All                    | 96    | 4   | 97     | 3   | 97    | 3   |

### Age Profile of the Fire and Rescue Service

18. The average age of uniformed personnel was 42 for those in firefighting roles, 43 for those in control specific roles and 40 for those on the retained duty system.

## Ageing workforce: 64% over 40



### Key messages

19. When used alongside the most recent NJC Workforce survey outcomes some key points have been identified:

- There remain low levels of female and BME representation across the uniformed workforce – whole-time and part-time women employees (including control staff): 7.9%, up 0.6% since 2010, however, the over-arching percentage of women, including all uniformed staff i.e. whole-time, part-time, retained duty system and control employees, was 6.5% (3220). BME employees: 3.2% down 0.6% since 2010 (but was not possible to gather ethnicity data on all personnel as it was either not available or withheld by the individuals concerned in 2010).
- There were 2100 female firefighters (excluding control) making up 4.4% of those in firefighting roles.
- Female and BME progression through the roles to management appears to be an issue for the Fire & Rescue Service with women in 1.5% of managerial roles and figures even lower (and thus unreportable) for BME personnel.
- 64% of the Workforce is now over 40 – supports the expectation that it is an ageing workforce.
- Detailed discipline and grievance records are kept with cases broken down by categories – however many have only had up-to-date records for the last 2-3 years
- From the survey sample the level of reported disciplinary cases over the 5 year period were 3042 of the workforce with 1796 grievance cases.
- 36 (80%) FRAs carried out a staff survey in the last five years, 21 (47%) of which carried these out every two years (or less) 33% every two years.
- 17 (38%) FRAs have carried out a cultural audit in the last five years.

- 40 (91%) of 44 respondents evidenced their FRSs Equalities Duty documentation and policies. Northern Ireland Fire & Rescue Service is not subject to the Public Sector Equality Duty.
- 35 (81%) of 43 respondent FRAs gained 'achieving' or 'excellent' status on the FRS Equalities Framework spectrum.
- 41 (91%) of 45 respondent FRAs have a social media policy in place with a further three FRAs currently working on one.
- There is significant evidence of formal/informal support networks in place for uniformed personnel.

## Survey Findings

20. Using survey data from 39 representative FRA responses the following data was extrapolated to give the percentage breakdown by demographic categories detailed below.

21. Using the outlier figures for 'reasons' for disciplinary action and 'reasons' for grievances we see there were 3042 disciplinary cases across the survey period peaking in 2013 (603) and numbers significantly lower in 2015 which, for many FRAs figures, was not a full year.

22. Reported grievance cases are just under half of those of disciplinary cases from the sample survey results we received (using the outlier figures), peaking in 2012 with 372 cases.

**Table 3: Total number of Disciplinary Cases by Formal Stages by year**

|              | Formal Stage 1 | Formal Stage 2 | Formal Stage 3 | Total |
|--------------|----------------|----------------|----------------|-------|
| <b>2010</b>  | 201            | 134            | 189            | 524   |
| <b>2011</b>  | 278            | 108            | 171            | 557   |
| <b>2012</b>  | 183            | 133            | 177            | 493   |
| <b>2013</b>  | 249            | 123            | 231            | 603   |
| <b>2014</b>  | 191            | 105            | 232            | 528   |
| <b>2015</b>  | 139            | 61             | 137            | 337   |
| <b>Total</b> | 1241           | 664            | 1137           | 3042  |

**Table 4: Total number of Grievances by year**

| Year              | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | Total |
|-------------------|------|------|------|------|------|------|-------|
| <b>Grievances</b> | 270  | 261  | 372  | 342  | 310  | 241  | 1796  |

## Gender

23. The figures showing disciplinary cases broken by gender roughly mirror the overall figures of men and women in the Service with women being slightly disproportionately involved in formal stage one cases (8.7%) but then slightly lower involvement as the cases/incidents become more serious (7.1% & 6.7%). However, it is not possible from the survey to break

this down between control staff and firefighters. This is something the Group could recommend FRAs monitor in future. Overall formal case figures over the five-year period that FRAs were asked to provide data for directly mirror the proportion of men and women in the Service. This is, however not the case when it comes to grievances across the same period with women being involved in nearly twice as many (14.6%) grievance cases as their percentage number across the service. There is anecdotal evidence that women may be more likely to raise a grievance in order to resolve issues. This area may be something that the group will want to look at in more detail. It may also wish to consider further work on the disproportionately low numbers of women in management roles to endeavour to identify why that should be the case and methods to improve.

**Table 5: Breakdown of Disciplinary Cases by Gender at each Formal Stage (2010 – 2015)**

| Gender | Formal Stage 1 | Per Cent | Formal Stage 2 | Per Cent | Formal Stage 3 | Per Cent | Total | Per Cent |
|--------|----------------|----------|----------------|----------|----------------|----------|-------|----------|
| Female | 108            | 8.7%     | 49             | 7.1%     | 75             | 6.7%     | 232   | 7.6%     |
| Male   | 1127           | 91.3%    | 646            | 92.9%    | 1037           | 93.3%    | 2810  | 92.4%    |
| Total  | 1235           | 100%     | 695            | 100%     | 1112           | 100%     | 3042  | 100%     |

**Table 6: Breakdown of Grievance Cases from 2010 – 2015 by Gender**

| Gender | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | Total | Per Cent |
|--------|------|------|------|------|------|------|-------|----------|
| Female | 36   | 43   | 43   | 53   | 32   | 41   | 248   | 15.1%    |
| Male   | 201  | 193  | 286  | 305  | 265  | 197  | 1447  | 84.9%    |
| Total  | 237  | 236  | 335  | 358  | 297  | 238  | 1695  | 100%     |

## Ethnicity

24. Broken down into the formal stages, the incidents mirror the ethnic demographic of the Service. However, there is a slightly higher number percentage of Black uniformed personnel being involved in the more serious formal stage 3 disciplinary cases. This is also the case when we look at the ethnic breakdown of grievance cases.

25. Past research carried out to examine why BME Local Government workers were involved in disproportionately high levels of disciplinary action (across eight London Boroughs) highlighted a number of potential issues. The decision on whether to use formal or informal procedures was a concern and it was clear that a decision to instigate formal proceedings can often be based on reasons other than a straightforward assessment of an employee's behaviour, performance or actions. The research found ethnic background proved a powerful influence in the decision to use formal procedures or not, political sensitivities were also a factor. Interestingly the research also found that the decision to apply formal

measures or not often had little to do with the behaviour of the individual in question, but was based solely on the fact they were of different ethnic origin. However, the research found that this often worked in two contrasting ways:

- 1) Managers strove 'at all costs' to avoid using formal disciplinary procedures with BME personnel and 'bent over backwards' to be seen to be fair or;
- 2) Managers invoked disciplinary procedures 'from the start' to keep it all on record and make sure their 'backs were covered' for fear that informal approaches could be interpreted as {racial} bullying or harassment.

26. The research concluded that both approaches were problematic and could lead to discrimination but this was far from conclusive and, whilst it offers us some insight into management behaviour towards members of different ethnic origins it is impossible to conclude that this is the case with the Fire and Rescue Service. The Group may wish to investigate this further.

*Source: The Organisational and Managerial Implications of Devolved Personnel Assessment Processes, Summary Report 2000*

**Table 7: Breakdown of Disciplinary Cases by Ethnicity at each Formal Stage (2010 – 2015)**

| <b>Ethnicity</b>  | <b>Formal Stage 1</b> | <b>Per cent</b> | <b>Formal Stage 2</b> | <b>Per cent</b> | <b>Formal Stage 3</b> | <b>Per Cent</b> | <b>Total</b> | <b>Per Cent</b> |
|-------------------|-----------------------|-----------------|-----------------------|-----------------|-----------------------|-----------------|--------------|-----------------|
| <b>Asian</b>      | 7                     | 0.6%            | 9                     | 1.3%            | 11                    | 1.0%            | 27           | 0.9%            |
| <b>Black</b>      | 20                    | 1.7%            | 19                    | 2.8%            | 38                    | 3.6%            | 77           | 2.6%            |
| <b>Mixed race</b> | 30                    | 2.5%            | 7                     | 1.0%            | 8                     | 0.8%            | 45           | 1.5%            |
| <b>White</b>      | 1050                  | 87.9%           | 615                   | 91.7%           | 943                   | 89.3%           | 2608         | 89.3%           |
| <b>Not known</b>  | 87                    | 7.3%            | 21                    | 3.1%            | 56                    | 5.3%            | 164          | 5.6%            |
| <b>Total</b>      | 1194                  | 100%            | 671                   | 100%            | 1056                  | 100%            | 2921         | 100%            |

**Table 8: Numbers of Grievances by Ethnicity 2010 – 2015**

| <b>Ethnicity</b>  | <b>2010</b> | <b>2011</b> | <b>2012</b> | <b>2013</b> | <b>2014</b> | <b>2015</b> | <b>Total</b> | <b>Per Cent</b> |
|-------------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------|-----------------|
| <b>Asian</b>      | 5           | 3           | 7           | 1           | 1           | 2           | 19           | 1.1%            |
| <b>Black</b>      | 4           | 4           | 8           | 11          | 15          | 6           | 48           | 2.8%            |
| <b>Mixed race</b> | 3           | 5           | 2           | 2           | 2           | 2           | 16           | 0.9%            |
| <b>White</b>      | 209         | 216         | 330         | 279         | 273         | 197         | 1504         | 87.7%           |
| <b>Not known</b>  | 12          | 36          | 21          | 14          | 27          | 18          | 128          | 7.5%            |
| <b>Total</b>      | 233         | 264         | 368         | 307         | 318         | 225         | 1715         | 100%            |

## Sexual Orientation

27. Other comparable workforce data on sexual orientation does not currently exist so it is hard to find any trends with this information. However it was evident from the collation exercise that this data was being recorded significantly more since 2010 with a spike around 2012-13 in recorded figures, this can also be said of recorded figures in respect of disability.

**Table 9: Breakdown of Disciplinary Cases by Sexual Orientation at each Formal Stage (2010 – 2015)**

| Sexual Orientation | Formal Stage 1 | Per cent    | Formal Stage 2 | Per cent    | Formal Stage 3 | Per Cent    | Total       | Per Cent    |
|--------------------|----------------|-------------|----------------|-------------|----------------|-------------|-------------|-------------|
| Bisexual           | 8              | 0.7%        | 3              | 0.4%        | 9              | 0.8%        | 20          | 0.7%        |
| Gay                | 3              | 0.2%        | 0              | 0.0%        | 2              | 0.2%        | 5           | 0.2%        |
| Lesbian            | 0              | 0.0%        | 2              | 0.3%        | 0              | 0.0%        | 2           | 0.1%        |
| Heterosexual       | 583            | 47%         | 274            | 39.5%       | 443            | 40.9%       | 1300        | 43.2%       |
| Not Provided       | 635            | 58%         | 415            | 59.8%       | 629            | 58.1%       | 1679        | 55.9%       |
| <b>Total</b>       | <b>1229</b>    | <b>100%</b> | <b>694</b>     | <b>100%</b> | <b>1083</b>    | <b>100%</b> | <b>3006</b> | <b>100%</b> |

**Table 10: Breakdown of Grievances by Sexual Orientation 2010 – 2015**

| Sexual Orientation | 2010       | 2011       | 2012       | 2013       | 2014       | 2015       | Total       | Per Cent    |
|--------------------|------------|------------|------------|------------|------------|------------|-------------|-------------|
| Bisexual           | 0          | 0          | 2          | 1          | 2          | 0          | 5           | 0.3%        |
| Gay                | 2          | 1          | 2          | 0          | 1          | 1          | 7           | 0.4%        |
| Lesbian            | 0          | 1          | 1          | 0          | 4          | 0          | 6           | 0.4%        |
| Heterosexual       | 99         | 93         | 150        | 120        | 124        | 82         | 668         | 39.2%       |
| Not Provided       | 140        | 161        | 209        | 213        | 161        | 136        | 1020        | 59.8%       |
| <b>Total</b>       | <b>241</b> | <b>256</b> | <b>364</b> | <b>334</b> | <b>292</b> | <b>219</b> | <b>1706</b> | <b>100%</b> |

## Age

28. The survey results show the largest age group involved in disciplinary cases at all formal stages is those aged 40-49 who were involved in 34.6% of formal stage 1 cases, 37.1% of formal stage 2 and 36.9% of all formal stage 3 cases combined over the period of the survey (2010-2015). This reflects both the average age of the uniformed personnel (42) and possibly an ageing workforce. Figures for grievances see the 40-49 age group represented even higher with members of that group being involved in 42.5% of cases however with that age group representing 46% of the workforce this is not significant.

**Table 11: Breakdown of Disciplinary Cases by Age Group 2010 – 2015**

| Age Group    | Formal Stage 1 | Per cent    | Formal Stage 2 | Per cent    | Formal Stage 3 | Per Cent    | Total       | Per Cent    |
|--------------|----------------|-------------|----------------|-------------|----------------|-------------|-------------|-------------|
| 20-29        | 156            | 12.7%       | 106            | 15.6%       | 134            | 12.3%       | 396         | 13.2%       |
| 30-39        | 319            | 26.1%       | 189            | 27.8%       | 302            | 27.6%       | 810         | 27.0%       |
| 40-49        | 423            | 34.6%       | 252            | 37.1%       | 403            | 36.9%       | 1078        | 36.0%       |
| 50-59        | 218            | 17.8%       | 108            | 15.9%       | 200            | 18.3%       | 526         | 17.6%       |
| 60+          | 18             | 1.5%        | 8              | 1.2%        | 14             | 1.3%        | 40          | 1.3%        |
| No record    | 90             | 7.4%        | 17             | 2.5%        | 40             | 3.7%        | 147         | 4.9%        |
| <b>Total</b> | <b>1224</b>    | <b>100%</b> | <b>680</b>     | <b>100%</b> | <b>1093</b>    | <b>100%</b> | <b>2997</b> | <b>100%</b> |

**Table 12: Numbers of Grievances by Age Group 2010 – 2015**

| Age Group    | 2010       | 2011       | 2012       | 2013       | 2014       | 2015       | Total       | Per Cent    |
|--------------|------------|------------|------------|------------|------------|------------|-------------|-------------|
| 20-29        | 13         | 6          | 21         | 19         | 11         | 15         | 85          | 4.9%        |
| 30-39        | 43         | 48         | 88         | 78         | 85         | 52         | 394         | 22.9%       |
| 40-49        | 95         | 115        | 149        | 152        | 111        | 110        | 732         | 42.5%       |
| 50-59        | 65         | 47         | 79         | 66         | 72         | 53         | 382         | 22.2%       |
| 60+          | 5          | 2          | 12         | 4          | 6          | 3          | 32          | 1.9%        |
| No record    | 20         | 36         | 5          | 28         | 5          | 5          | 99          | 5.7%        |
| <b>Total</b> | <b>241</b> | <b>254</b> | <b>354</b> | <b>347</b> | <b>290</b> | <b>238</b> | <b>1724</b> | <b>100%</b> |

## Disability

29. There was evidence of uniformed personnel with a disability being involved in both disciplinary action and grievances cases as outlined in tables 13 & 14 but upon the data cleansing exercise it was apparent that most of the cases detailed by FRAs were recorded as 'unspecified'. It was clear that FRAs took different approaches to the level of detail they recorded and for which there are various possible reasons; capacity issues, the necessity to report on this, archaic/out of date return forms etc.
30. It is clear, however, that this is still an area that is not consistently recorded in personnel files, especially to any degree of detail and this is an area the group may wish to encourage FRAs to take a more detailed approach to recording and monitoring of in future in order to easily identify any common issues or themes which may be becoming more of an issue. For instance, there is anecdotal evidence, especially with lower numbers of

fires, of less trauma related mental issues, whilst levels of depression and anxiety issues are on the rise due to external factors as well as job insecurity and unstable work environment.

**Table 13: Breakdown of Disciplinary Cases by Disability at each Formal Stage (2010 – 2015)**

| Disability                     | Formal Stage 1 | Per cent | Formal Stage 2 | Per cent | Formal Stage 3 | Per Cent | Total | Per Cent |
|--------------------------------|----------------|----------|----------------|----------|----------------|----------|-------|----------|
| None                           | 935            | 76.4     | 538            | 78.5     | 840            | 75.7     | 2313  | 76.6     |
| Disability unspecified         | 8              | 0.7      | 3              | 0.4      | 41             | 3.7      | 52    | 1.7      |
| Learning Disability/Difficulty | 4              | 0.3      | 5              | 0.7      | 5              | 0.5      | 14    | 0.5      |
| Long Term Medical Condition    | 0              | 0.0      | 5              | 0.7      | 4              | 0.4      | 9     | 0.3      |
| Mental Health Condition        | 2              | 0.2      | 3              | 0.4      | 6              | 0.       | 11    | 0.4      |
| Physical Impairment            | 2              | 0.2      | 1              | 0.1      | 2              | 0.2      | 5     | 0.2      |
| Sensory Impairment             | 1              | 0.1      | 0              | 0.0      | 0              | 0        | 1     | 0.0      |
| Not recorded/not stated        | 272            | 22.2     | 130            | 19       | 211            | 19       | 613   | 20.3     |
| Total                          | 1224           | 100      | 685            | 100      | 1109           | 100      | 3018  | 100      |

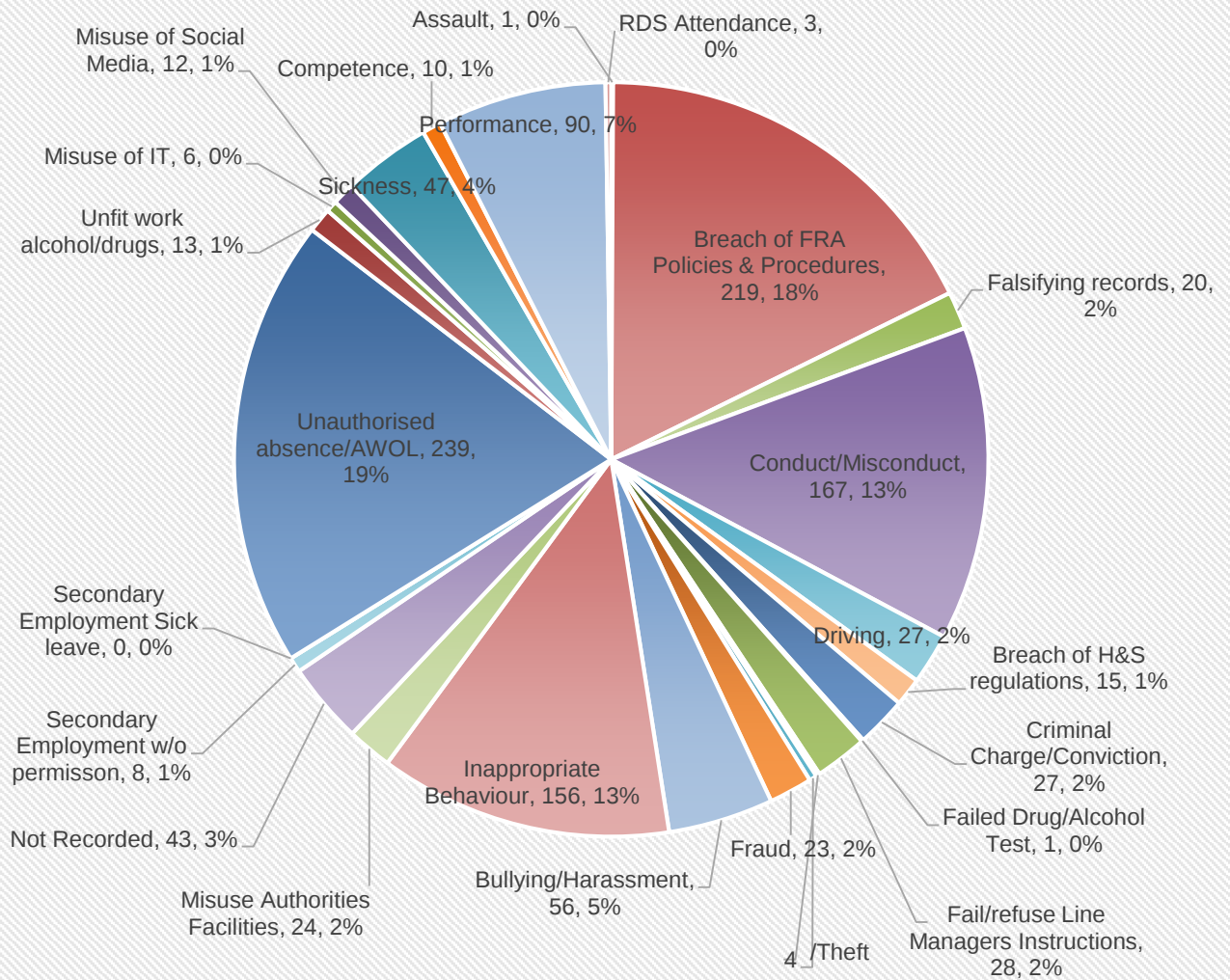
**Table14: Breakdown of Grievances by Disability 2010 – 2015**

| Disability                     | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | Total | Per Cent |
|--------------------------------|------|------|------|------|------|------|-------|----------|
| None                           | 200  | 172  | 258  | 309  | 200  | 152  | 1291  | 74.8%    |
| Disability unspecified         | 4    | 4    | 14   | 5    | 8    | 7    | 42    | 2.4%     |
| Learning Disability/Difficulty | 0    | 0    | 1    | 0    | 1    | 1    | 3     | 0.2%     |
| Long Term Medical Condition    | 0    | 1    | 0    | 0    | 3    | 0    | 4     | 0.2%     |
| Mental Health Condition        | 0    | 0    | 5    | 1    | 2    | 1    | 9     | 0.5%     |
| Physical Impairment            | 0    | 2    | 2    | 1    | 1    | 2    | 8     | 0.5%     |
| Sensory Impairment             | 0    | 0    | 0    | 0    | 0    | 0    | 0     | 0.0%     |
| Not recorded/not stated        | 37   | 78   | 70   | 41   | 70   | 72   | 368   | 21.3%    |
| Total                          | 241  | 257  | 350  | 357  | 285  | 235  | 1725  | 100%     |

## Reason for disciplinary action and grievances

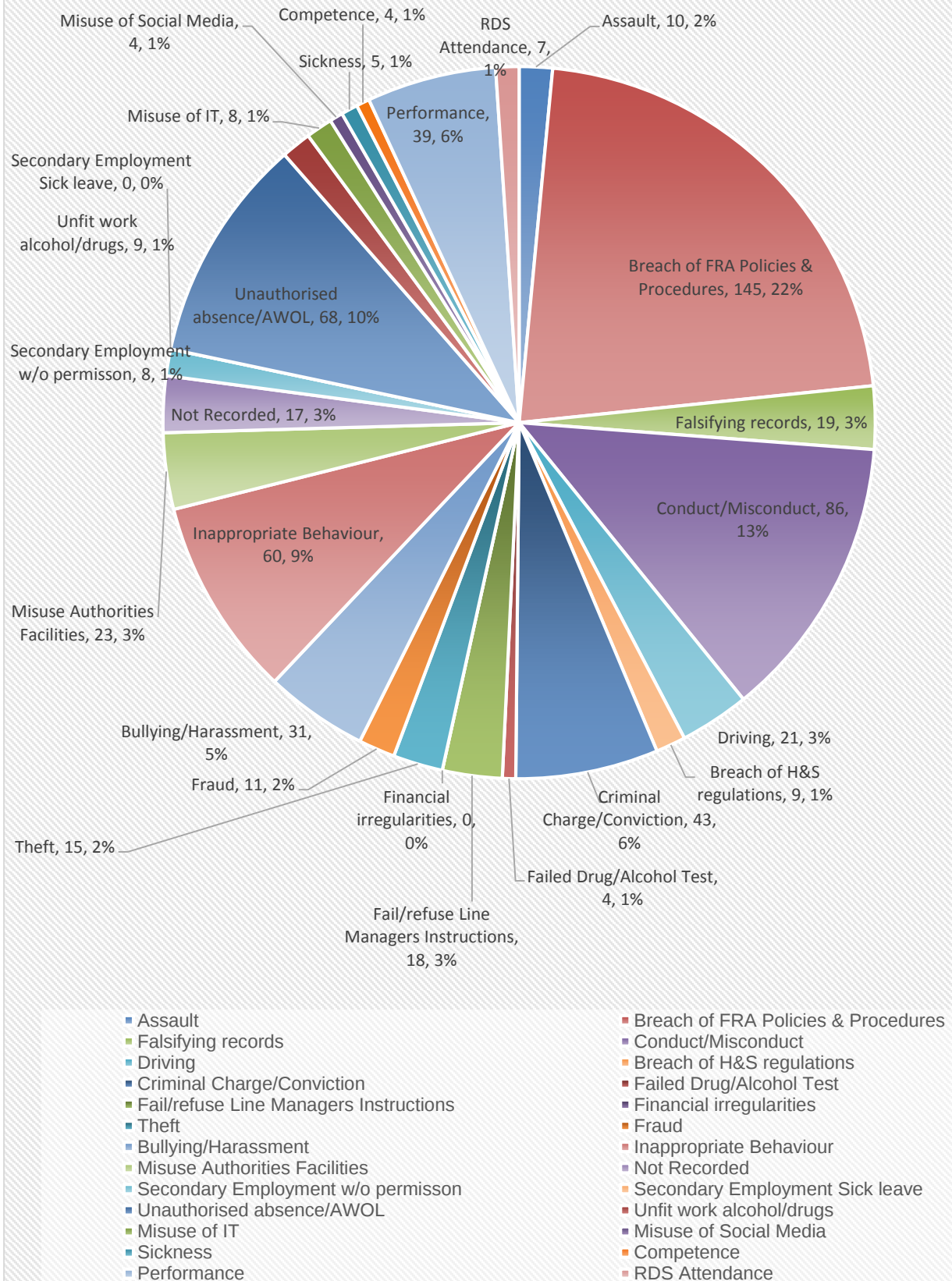
31. Delving deeper into the reasons for disciplinary cases and breaking them down by formal stages gives us a much clearer picture of the types of incidents that lead to disciplinary action and which areas are dealt with more seriously. Unauthorised absence (19%) was the largest cause of formal stage 1 discipline, closely followed by breaches of procedure and policy (18%), Misconduct (13%) and Inappropriate Behaviour (13%). From the data cleansing exercise, it was clear that some FRAs classified and recorded all disciplinary cases as either procedure breaches or misconduct so those figures will be artificially high due to the levels of sophistication of the survey and recording measures currently in place.
32. Anecdotal evidence of Bullying and Harassment and Misuse of Social Media do not obviously show in the survey figures as issues uniformed personnel are disciplined for (5% and 1% respectively). But this may be due to incidents not being reported or being dealt with {or not} informally and not making it as far as the formal stages.
33. As you might expect as we move through the formal stages the reasons for disciplinary cases over the survey period, 2010 -2015, change i.e. less for absence, but Breaches of Policy/Procedure and Misconduct (Gross) stay roughly proportionately the same (between 18% - 22%), theft, fraud and criminal activity become more prevalent.
34. When we look into the causes of grievance cases, however, bullying and harassment are more evident averaged out at 14.7% (265 cases) over 2010 – 2015, however these figures are fairly consistent over the time period and there is no evidence that bullying and harassment is on the rise. The biggest cause of grievances within the Service is Management Decisions (averaging at 24.3%, peaking in 2013 at 31.3%). However these figures can be noted with caution due to the way FRAs report on grievances and how records are interpreted. Promotion processes (10.8%, 192 cases), Unfair Treatment (8.3%, 150 cases) and Disciplinary Procedures (8.1%, 143 cases) are the other key areas of grievances but anecdotal concerns around transfers and personnel coming back to work from maternity leave are difficult to evidence from the results given use of the generic term management decisions used by FRAs.

## Disciplinary Cases by Formal Stage 1 (2010 - 2015)

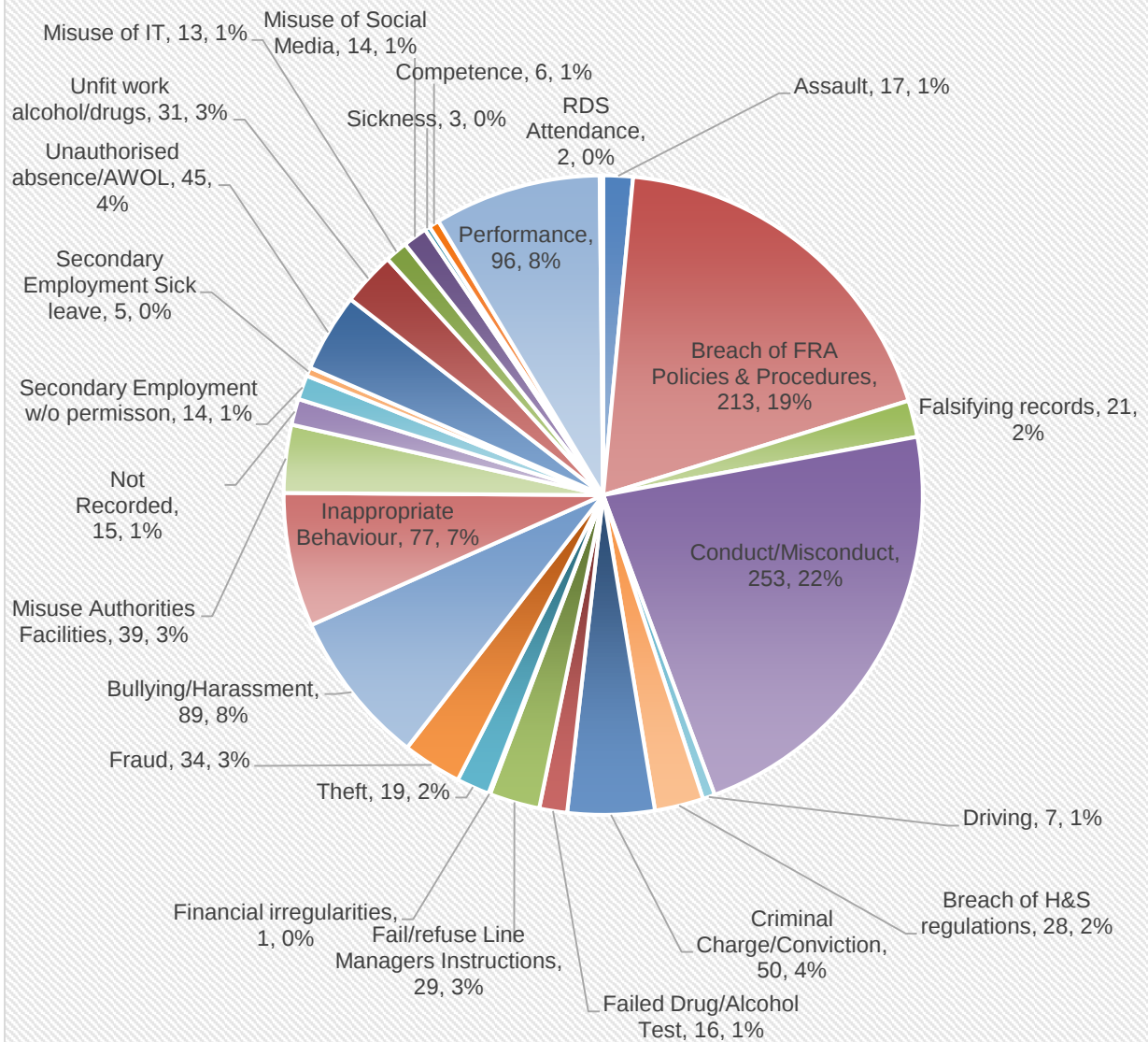


- Assault
- Breach of FRA Policies & Procedures
- Falsifying records
- Conduct/Misconduct
- Driving
- Breach of H&S regulations
- Criminal Charge/Conviction
- Failed Drug/Alcohol Test
- Fail/refuse Line Managers Instructions
- Financial irregularities
- Theft
- Fraud
- Bullying/Harassment
- Inappropriate Behaviour
- Misuse Authorities Facilities
- Not Recorded
- Secondary Employment Sick leave
- Secondary Employment w/o permission
- Unauthorised absence/AWOL
- Unfit work alcohol/drugs
- Misuse of Social Media
- Misuse of IT
- Sickness
- Competence
- Performance
- RDS Attendance

## Disciplinary Case by Formal Stage 2 (2010 - 2015)



## Disciplinary Case by Formal Stage 3 (2010 - 2015)



- Assault
- Breach of FRA Policies & Procedures
- Falsifying records
- Conduct/Misconduct
- Driving
- Breach of H&S regulations
- Criminal Charge/Conviction
- Failed Drug/Alcohol Test
- Fail/refuse Line Managers Instructions
- Financial irregularities
- Theft
- Fraud
- Bullying/Harassment
- Inappropriate Behaviour
- Misuse Authorities Facilities
- Not Recorded
- Secondary Employment w/o permission
- Unauthorised absence/AWOL
- Unfit work alcohol/drugs
- Misuse of Social Media
- Misuse of IT
- Competence
- RDS Attendance
- Sickness
- Performance

**Table 15: Breakdown of Grievances by Reason 2010 – 2015**

| Reason                             | 2010       | 2011       | 2012       | 2013       | 2014       | 2015       | Total       | Per Cent    |
|------------------------------------|------------|------------|------------|------------|------------|------------|-------------|-------------|
| Bullying/Harassment                | 34         | 36         | 64         | 44         | 49         | 38         | 265         | 14.8%       |
| Promotion processes                | 38         | 33         | 44         | 33         | 18         | 26         | 192         | 10.7%       |
| Disciplinary processes             | 28         | 24         | 38         | 24         | 24         | 12         | 150         | 8.4%        |
| Working relationships              | 11         | 8          | 8          | 19         | 16         | 10         | 72          | 4.0%        |
| Unfair treatment                   | 26         | 25         | 30         | 15         | 30         | 17         | 143         | 8.0%        |
| Secondary Employment               | 5          | 0          | 0          | 2          | 0          | 1          | 8           | 0.4%        |
| RDS issues                         | 0          | 1          | 0          | 6          | 1          | 1          | 9           | 0.5%        |
| Management decisions               | 43         | 61         | 93         | 107        | 80         | 59         | 443         | 24.7%       |
| Sickness process                   | 2          | 8          | 6          | 0          | 5          | 7          | 28          | 1.6%        |
| Paternity leave                    | 0          | 0          | 1          | 1          | 0          | 0          | 2           | 0.1%        |
| Flexible working                   | 1          | 3          | 11         | 0          | 3          | 1          | 19          | 1.1%        |
| Transfers                          | 17         | 8          | 6          | 8          | 22         | 24         | 85          | 4.7%        |
| Pay                                | 24         | 20         | 16         | 16         | 13         | 18         | 107         | 6.0%        |
| Leave entitlement (including TOIL) | 6          | 4          | 5          | 3          | 7          | 5          | 30          | 1.7%        |
| Not Recorded                       | 35         | 30         | 50         | 64         | 42         | 22         | 243         | 13.5%       |
| <b>Total</b>                       | <b>270</b> | <b>261</b> | <b>372</b> | <b>342</b> | <b>310</b> | <b>241</b> | <b>1796</b> | <b>100%</b> |

### Outcomes of disciplinary action

35. Collating the data, it was clear that some FRAs had very structured policies of dealing with cases (verbal warnings for formal stage 1, written warning at formal stage 2 and final written warnings/dismissals at formal stage 3) however this didn't apply across all FRAs. It is of course impossible, from the data provided, to directly link outcomes from the original disciplinary action or grievance.
36. Across the survey period, 2010 – 2015, it was evident that robust procedures were in place when it came to FRAs disciplining their staff in a procedural manner, with 42.5% (526) of those disciplined at Formal Stage 1 receiving a written warning, 37.9% (248) of those disciplined at Formal Stage 2 receiving a final written warning and significantly larger

numbers 28% (316) of those disciplined at Formal Stage 3 being dismissed. This figure can be interpreted to be a lot larger when you take into consideration a further 12.9% (144) of those involved in Formal Stage 3 incidents resigning prior to any formal action. The research also identifies a possible theme of FRAs taking a 'common sense' approach with 11.1% of those involved in Formal Stage 1 incidents getting a Verbal Warning and 13.2% being informally dealt with.

37. Across the survey period, 2010 – 2015, analysis into the outcomes of Grievance cases shows us that the 40.6% of cases were 'Not Upheld' with a significantly lower number of cases (18.5%) being upheld and a further 7.6% of cases being partially upheld. 324 out of the 1673 recorded cases (19.4%) were resolved.

**Table 16: Breakdown of the Outcomes of Disciplinary Cases at each Formal Stage (2010 – 2015)**

| <b>Outcome</b>                        | <b>Formal Stage 1</b> | <b>Per cent</b> | <b>Formal Stage 2</b> | <b>Per cent</b> | <b>Formal Stage 3</b> | <b>Per Cent</b> | <b>Total</b> | <b>Per Cent</b> |
|---------------------------------------|-----------------------|-----------------|-----------------------|-----------------|-----------------------|-----------------|--------------|-----------------|
| <b>Dismissal</b>                      | 14                    | 1.1             | 2                     | 0.3             | 316                   | 28.3            | 332          | 11.0            |
| <b>Final Written Warning</b>          | 28                    | 2.3             | 248                   | 37.9            | 281                   | 25.2            | 557          | 18.5            |
| <b>FWW/Development Plan</b>           | 0                     | 0.0             | 11                    | 1.7             | 21                    | 1.9             | 32           | 1.1             |
| <b>FWW/Demotion</b>                   | 2                     | 0.2             | 27                    | 4.1             | 61                    | 5.5             | 90           | 3.0             |
| <b>Informal Action</b>                | 163                   | 13.2            | 28                    | 4.3             | 27                    | 2.4             | 218          | 7.2             |
| <b>Written Warning</b>                | 526                   | 42.5            | 227                   | 34.7            | 95                    | 8.5             | 848          | 28.2            |
| <b>Oral/Verbal Warning</b>            | 138                   | 11.1            | 12                    | 1.8             | 3                     | 0.3             | 153          | 5.1             |
| <b>No further action</b>              | 297                   | 24.0            | 81                    | 12.4            | 135                   | 12.1            | 513          | 17.0            |
| <b>Settlement Agreement</b>           | 21                    | 1.7             | 2                     | 0.3             | 27                    | 2.4             | 50           | 1.7             |
| <b>Under investigation, pending</b>   | 4                     | 0.3             | 0                     | 0.0             | 6                     | 0.5             | 10           | 0.3             |
| <b>Resignation prior to dismissal</b> | 46                    | 3.7             | 17                    | 2.6             | 144                   | 12.9            | 207          | 6.9             |
| <b>Total</b>                          | 1239                  | 100             | 655                   | 100             | 1116                  | 100             | 3010         | 100             |

**Table 17: Breakdown of Grievances by Outcome 2010 – 2015**

| Outcome                  | 2010       | 2011       | 2012       | 2013       | 2014       | 2015       | Total       | Per Cent    |
|--------------------------|------------|------------|------------|------------|------------|------------|-------------|-------------|
| Dismissal                | 1          | 0          | 0          | 0          | 0          | 1          | 2           | 0.1%        |
| Resignation              | 1          | 2          | 2          | 2          | 2          | 3          | 12          | 0.7%        |
| Not Upheld               | 91         | 110        | 151        | 117        | 134        | 77         | 680         | 40.6%       |
| Upheld                   | 48         | 51         | 97         | 40         | 49         | 25         | 310         | 18.5%       |
| Upheld in Part           | 14         | 13         | 35         | 25         | 25         | 15         | 127         | 7.6%        |
| Resolved                 | 48         | 48         | 42         | 67         | 61         | 58         | 324         | 19.4%       |
| Pending                  | 1          | 4          | 2          | 1          | 2          | 45         | 55          | 3.3%        |
| Informal Action          | 10         | 2          | 7          | 16         | 12         | 4          | 51          | 3.0%        |
| Information not provided | 18         | 26         | 10         | 38         | 15         | 5          | 112         | 6.7%        |
| <b>Total</b>             | <b>232</b> | <b>256</b> | <b>346</b> | <b>306</b> | <b>300</b> | <b>233</b> | <b>1673</b> | <b>100%</b> |

## Findings and Trends

38. Whilst endeavouring to map the ‘current position’ of equality and diversity policy in the Fire Service and how it is procedurally carried out in practice this section looks at the data we received and gives an overview of the findings.

### Staff Surveys

39. Respondents were asked if they carried out staff surveys and if so how frequently - 36 (80%) FRAs had carried out a staff survey since 2010, 21 carry these out regularly and at least every two years.

### Cultural audits

40. The level of cultural audits was significantly lower with 17 (38%) FRAs having carried out a cultural Audit in the last five years. The size of organisations and the cost implications of running regular cultural audits can be attributed to this low figure. Most of the FRAs who have undertaken cultural audits tend to be larger FRAs and they also are likely to sit within the ‘Achieving’ or ‘Excellent’ categories of the FRS Efficiency Framework.

### Equality policies

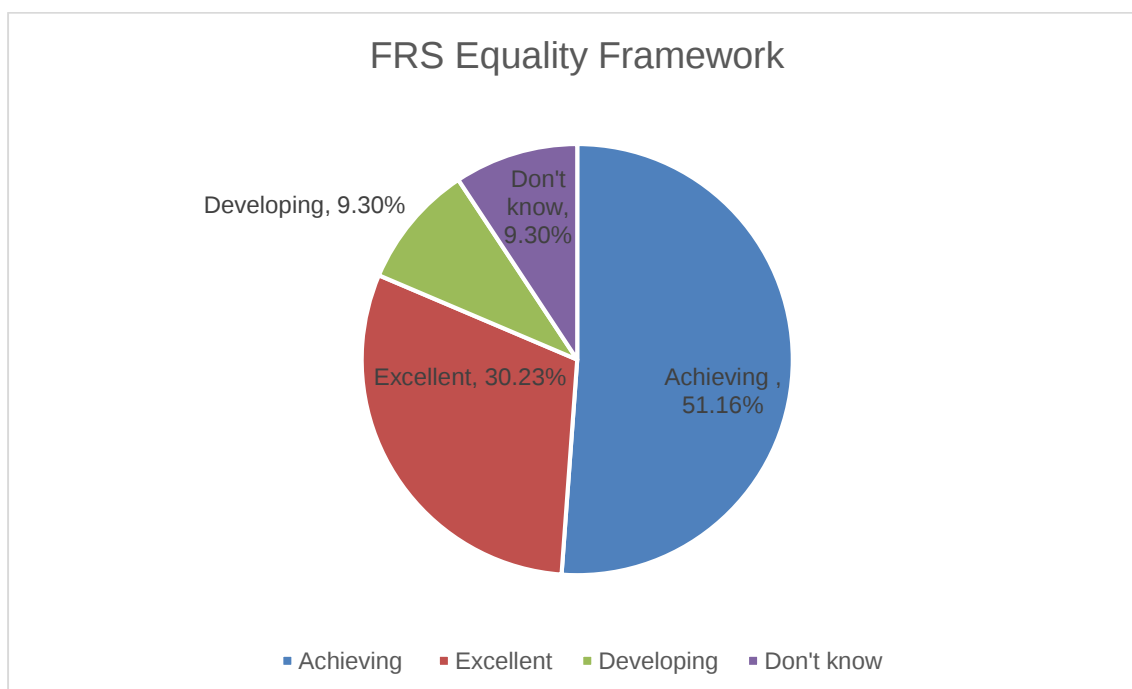
41. FRAs were asked to provide information on what their Fire & Rescue Service had published as objectives under the Public Sector Equalities Duty. 40 (91%) out of 44 respondents evidenced their FRSS Equalities Duty documentation and policies. Northern Ireland Fire &

Rescue Service is not subject to the Public Sector Equality Duty. Some examples of documentation that feed into FRSs Equalities Duty can be found below. Most information is published on FRAs' websites.

|                                                                                                  |
|--------------------------------------------------------------------------------------------------|
| 1. Equality and Diversity Reports                                                                |
| 2. Equality Strategy, Safer Lives Brighter Futures                                               |
| 3. Corporate Equalities & Inclusion Strategies                                                   |
| 4. Equalities & Inclusion Action Plans                                                           |
| 5. Equality Monitoring Reports                                                                   |
| 6. Pay Policy Principles and Statement                                                           |
| 7. Review of Support Staff terms and conditions of service and pay, grading and reward structure |
| 8. Equal Pay Audit Outcome                                                                       |

### Fire & Rescue Service Equality Framework (FRSEF)

42. Guidance has been produced to assist English FRAs in preparing for an LGA peer challenge at both the 'achieving' and 'excellent' levels of the FRSEF. The aim of the FRSEF is to help fire and rescue services integrate their commitments to promote equality and diversity into their day to day work. 35 (81%) of 43 FRAs gained 'achieving' or 'excellent' in the FRS Equalities Framework spectrum. Out of those 35, 22 were classified as 'achieving' and a further 13 were rated as 'excellent'. Scotland and Northern Ireland are not covered by the same Equality Framework.



### Social media policy

43. This drew a good response with 41 (91%) of responding FRAs having a social media policy in place. A further three FRAs were in the 'development' stage. Only one FRA did not have a social media policy. However, the experience of the group suggested problems with personal use of social media were increasing. Accordingly, the group intends to issue national guidance on the personal use of social media.

## Formal/Informal Support Mechanisms

44. All but one of the 45 FRA respondents indicated that their organisation had formal or informal support mechanisms readily available for their uniformed personnel with at least 10 FRAs having a comprehensive list of groups their staff could join or turn to if needed.

(Note - as part of the wider work of the Inclusive Fire Service Group it was decided to invite a representative sample to attend a meeting, or make written submissions, on a number of the key points identified from the survey and to share their experiences of good practice, their common issues and their successes to the group).

Examples of groups can be found below:

|                                                              |                                                   |
|--------------------------------------------------------------|---------------------------------------------------|
| Asian Fire Service Association                               | Fairness (BME support group)                      |
| LGBT Support Group                                           | Staff with Disabilities Group                     |
| Irish Society                                                | Women in the Fire Service                         |
| B&EMM (Black and Ethnic Minority Members, FBU support group) | WAC (Women's Action Committee, FBU support group) |
| LAG (Lesbian and Gay FBU support group)                      | Staff Diversity Forum                             |
| Equality and Diversity Programme Board                       | Employee Assistance Programme                     |
| Critical Incident debriefs                                   | Disability Staff Network                          |
| Christian Fellowship                                         | Mental Health Staff Network                       |
| Women's Staff Network                                        | Young Person Staff Network                        |
| QUILT BAG                                                    | Proud Friends (LGBT Allies Group)                 |
| Employee Engagement Network                                  | MIND                                              |
| Disability Confident                                         | Firefighters Charity                              |
| Mindful Employer                                             | Shout                                             |
| Staff Diversity Forum                                        | Rainbow Forum                                     |
| Disability Staff Groups                                      | Dignity at Work Network                           |
| Black Workers Network                                        | Disability Network                                |
| Care First (Employee Assistance Programme)                   | Stonewall                                         |

## Conclusion

45. The task was to identify the current position of cultural and behavioural issues within the Fire & Rescue Service and to identify any trends in behaviour. The information gathered will inform IFS Group consideration of the development of strategies to assist improvement at local level.

## Respondents

46. On behalf of the Inclusive Fire Service Group the Joint Secretaries would like to place on record their thanks to those FRAs who took part in this piece of research.

| Fire and Rescue Authorities |                      |                  |                 |
|-----------------------------|----------------------|------------------|-----------------|
| Avon                        | East Sussex          | Lincolnshire     | South Wales     |
| Bedfordshire                | Essex                | London           | South Yorkshire |
| Berkshire                   | Gloucestershire      | Mid & West Wales | Staffordshire   |
| Buckinghamshire             | Greater Manchester   | Norfolk          | Suffolk         |
| Cambridgeshire              | Hampshire            | North Wales      | Surrey          |
| Cheshire                    | Hereford & Worcester | North Yorkshire  | Tyne & Wear     |
| Cleveland                   | Hertfordshire        | Northern Ireland | West Midlands   |
| Cornwall                    | Humberside           | Northumberland   | West Yorkshire  |
| Derbyshire                  | Isle of Wight        | Nottinghamshire  | Wiltshire       |
| Devon & Somerset            | Kent & Medway        | Oxfordshire      |                 |
| Dorset                      | Lancashire           | Scotland         |                 |
| Durham & Darlington         | Leicestershire       | Shropshire       |                 |

## Appendices

### 47. Appendix A – Cultural & Behavioural Survey – Questionnaire

**JOINT SECRETARIAT**

# Inclusive Fire Service Group Questionnaire

## Part I

In order for us to gather comparable data to assist in analysing trends in behaviours and cultural attitudes since 2010, we ask that you provide us with the data and information below for the last 5 years

1. Does your Fire & Rescue Service carry out staff surveys and if so how often? Yes/No (*delete as appropriate*)

Yearly

Biennially

Every 5 years

Other (*please specify*)

2. Does your Fire & Rescue Service carry out cultural audits and if so how often? Yes/No (*delete as appropriate*)

Yearly

Biennially

Every 5 years

Other (*please specify*)

3. If you do, please provide a copy of the executive summary and key issues covered in the staff surveys/cultural audits you have carried out since 2010?

4. In respect of employee grievance and disciplinary cases please provide the information below.

- (a) In the case of disciplinary cases and for each of the following years, please provide the number of cases at each stage of the process including the type of issue involved (formal stages 1, 2 or 3) and broken down by category; gender, ethnicity, sexual orientation, age & disability.

## Inclusive Fire Service Group Questionnaire

| <b>Disciplinary cases 2010 - 2015</b>                                                                                                  | <b>1st formal stage</b> | <b>2nd formal stage</b> | <b>3rd formal stage</b> |
|----------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-------------------------|-------------------------|
| Total numbers                                                                                                                          |                         |                         |                         |
| Issues (grouped by number<br>e.g. bullying - 25)                                                                                       |                         |                         |                         |
| Outcomes (grouped by number<br>e.g. reduction in role – 2)                                                                             |                         |                         |                         |
| Gender (grouped by number<br>e.g. male – 4, female – 2)                                                                                |                         |                         |                         |
| Ethnicity (grouped by number<br>and ethnic origin e.g. white<br>British – 5, etc)                                                      |                         |                         |                         |
| Sexual orientation (grouped by<br>number e.g. heterosexual or<br>straight - 5, gay - 3, lesbian - 4,<br>bisexual - 2, transgender – 2) |                         |                         |                         |
| Age (grouped by number and<br>age e.g. age 45 – 4, age 25 - 1)                                                                         |                         |                         |                         |
| Disability (grouped by number<br>and type of disability)                                                                               |                         |                         |                         |

## Inclusive Fire Service Group Questionnaire

(b) In the case of grievance cases, and for each of the following years, please provide the information sought below:

|                                                                                                                               |  |
|-------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Grievance cases 2010 - 2015</b>                                                                                            |  |
| Total numbers                                                                                                                 |  |
| Issues (grouped by number e.g. bullying – 25, maternity – 10)                                                                 |  |
| Outcomes (grouped by number e.g. reduction in role – 2)                                                                       |  |
| Gender (grouped by number e.g. male – 4, female – 2)                                                                          |  |
| Ethnicity (grouped by number and ethnic origin e.g. white British – 5, etc)                                                   |  |
| Sexual orientation (grouped by number e.g. heterosexual or straight – 5, gay – 3, lesbian – 4, bisexual – 2, transgender – 2) |  |
| Age (grouped by number and age e.g. age 45 – 4, age 25 - 1)                                                                   |  |
| Disability (grouped by number and type of disability)                                                                         |  |

# Inclusive Fire Service Group Questionnaire

## Part II

1. Please provide a copy of the information your Fire & Rescue Service has published as objectives under the Public Sector Equalities Duty along with the information which demonstrates your compliance.
2. How would you describe where your Fire & Rescue Service sits on the FRS Equality Framework? (*delete as appropriate*)
  - Developing
  - Achieving
  - Excellent
  - Don't know
3. What kind of informal or formal support mechanisms for individuals or groups do you have? (*please list below*)
4. Does your Fire & Rescue Service currently have a 'use of social media' policy in place; if yes, please provide a copy.

# NATIONAL JOINT COUNCIL FOR LOCAL AUTHORITY FIRE AND RESCUE SERVICES

## Inclusive Fire Service – Cultural & Behavioural Survey

### Executive Summary

1. The National Joint Council (NJC) decided to further develop its commitment to equality, diversity, behavioural and cultural issues and subsequently set up this Inclusive Fire Service Group which has a remit to:
  - (i) Assess the current position in respect of equality, diversity, behavioural and cultural issues; and
  - (ii) Identify guidance in relation to any further strategies that could be used at local level to further encourage improvement.
2. Fire & Rescue Services (FRS) were surveyed to endeavour to benchmark the current position of equality and diversity policies within their services, and were asked to provide information on:
  - a) Staff surveys & cultural audits
  - b) Numbers of grievance and disciplinary cases - broken down by issues and by special characteristics; gender, ethnicity, sexual orientation, age & disability over a five-year period (2010 -2015)
  - c) Policies and documentation: the use of social media, Public Sector Equalities Duty, the FRS Equality Framework in England and Public Sector Equality Duty in Wales
3. 45 FRSs responded to the survey covering all fire authority governance structures and geographic regions, including the devolved administrations, to give a comprehensive picture of equality and diversity policies and issues across the Fire Service. Workforce information was also taken from the most recent NJC Workforce Survey, which was carried out in 2015. This was used as the source of data for comparable analysis with the survey which focused on 'uniformed personnel', defined as 'personnel that fall within the remit of the NJC Scheme of Conditions of Service (Grey Book) – firefighter to area manager inclusive'

### Demographic Overview of the Fire & Rescue Service

4. Information obtained from the recent NJC Workforce survey, completed by all but one FRA and carried out in 2015 counted 33,565 whole and part-time personnel, split between 31,965 personnel in firefighting roles and 1,600 in control specific roles. Overall there were 49,111 uniformed personnel in the Fire & Rescue Service which includes 15,546 retained personnel (RDS). This figure is a reduction from 59,156 in 2010 (17%). The average age was 42 for those in firefighting roles and 43 for those in control specific roles. The majority of the workforce (64%) are over 40 years old.

- In firefighting roles (all those covered by Grey Book terms and conditions excluding control staff), 95% of personnel were male but in control specific roles 70% of personnel were women. Among those on the retained duty system 96% were male.
  - 5% of personnel in firefighting roles and 3% in control specific roles came from black and minority ethnic groups. Among retained personnel 1% came from a black and minority ethnic background.
  - The average age of personnel was 42 for those in firefighting roles, 43 for those in control specific roles and 40 for those on the retained duty system.
5. Women made up 7.9% (2662) of the whole-time and part-time workforce. This represented a rise of 0.6%, from 7.3%, since the last Workforce Survey in 2010. This figure comprised 1121 women in control roles (70%) and 1541 women in firefighter to area manager roles (4.8%). The figure excluded retained duty system employees, of which 4.0% (559) were women. The over-arching percentage of women, including all uniformed staff i.e. whole-time, part-time, retained duty system and control employees, was 6.5% (3220).
6. Women and BME personnel were under-represented in managerial roles (Crew Manager and above) when compared with the percentage across the wholetime and part-time workforce (not including control or retained duty system employees) with just 477 women (1.5%) working above that of a competent firefighter. Figures were too low to be grossed to any accuracy for BME personnel.

## **Key messages**

7. When used alongside the most recent NJC Workforce survey outcomes some key messages have been identified:
- There remain low levels of female and BME representation across the uniformed workforce as detailed above
  - Female and BME progression through the roles to management appears to be an issue for the Fire & Rescue Service
  - 64% of the Workforce is now over 40 – which supports the expectation that it is an ageing workforce
  - Detailed discipline and grievance records are kept with cases broken down by categories –however many have only had up-to-date records for the last 2-3 years
  - From the survey sample the level of reported disciplinary cases over the five year period were 3042 of the workforce with 1796 grievance cases over the same time period
  - 80% of FRAs had carried out a staff survey in the last five years
  - 38% of FRAs had carried out a cultural audit in the last five years
  - 91% of 44 respondents evidenced their FRSs Equalities Duty documentation and policies. Northern Ireland Fire & Rescue Service is not subject to the Public Sector Equality Duty.
  - 81% of 43 respondent FRAs had gained 'achieving' or 'excellent' status on the FRS Equalities Framework spectrum. However the Group wondered if the external facing elements of the Framework may be out-weighting internal elements in terms of overall assessment.

- 91% of 44 respondents evidenced their FRSs Equalities Duty documentation and policies.
- Whilst 91% of 45 respondent FRAs have a social media policy in place, the experience of the group suggested problems with personal use of social media was increasing. The group intends to issue national guidance on the personal use of social media.
- There is significant evidence of formal/informal support networks in place for uniformed personnel. All but one of 45 FRA respondents indicated that their organisation had such formal or informal support mechanisms in place.

## **Survey Findings: Disciplinary & Grievance Cases by Special Characteristics**

### **Gender**

8. The figures showing disciplinary cases broken by gender roughly mirror the overall figures of men and women in the Service, however, when it comes to grievance cases, women are disproportionately involved in twice as many (14.6%) grievance cases as their percentage number across the service.

### **Ethnicity**

9. Broken down into the formal stages, the incidents mirror the ethnic demographic of the Service. However, there is a slightly higher percentage of black uniformed personnel being involved in the more serious formal stage 3 disciplinary cases. This is also the case when we look at the ethnic breakdown of grievance cases.

### **Sexual Orientation**

10. Comparable workforce data on sexual orientation does not currently exist so it is hard to analyse any trends with this information. But it is evident since 2012-13 that FRAs are capturing more of this information. As with incidents involving personnel with disabilities this is an area the group may wish to encourage FRAs to take a more detailed approach to recording and monitoring in the future.

### **Age**

11. The survey results showed the largest age group involved in disciplinary & grievance cases is those aged 40-49. This reflects the age profile of the Service.

### **Disability**

12. Disability is an area that is not consistently recorded in personnel files. However, there was evidence of uniformed personnel with a disability being involved in both disciplinary action and grievances cases.

## **Reasons and Outcomes of Disciplinary and Grievance Cases**

13. It was clear that some FRAs had very structured policies of dealing with cases (verbal warnings for formal stage 1, written warning at formal stage 2 and final written warnings/dismissals at formal stage 3) however this didn't apply across all FRAs.

Anecdotal evidence and concerns expressed about high levels of bullying and harassment in the Service and the misuse of social media do not appear to be evidenced in the survey findings as the main reason why uniformed personnel are disciplined. Bullying and harassment accounted for 5% and misuse of social media accounted for 1% of the recorded disciplinary cases over the five-year period. This may be due to incidents not being reported or being dealt with informally and therefore not progressing as far as the formal stages. Issues other than those identified as bullying and harassment, such as unauthorised absence, breaches of procedure and policy, misconduct and inappropriate behaviour were far more prevalent.

14. When we look into the causes of grievance cases, however, bullying and harassment are more evident and averaged out at 14.7% (265 cases) over 2010 – 2015. However the figures were fairly consistent over the time period and there is no evidence that bullying and harassment issues are on the rise.
15. Management decisions were attributed as the biggest reason for grievances, however these figures can be noted with caution due to the way FRAs report on grievances and how records are interpreted. Promotion processes, unfair treatment and disciplinary procedures were the other major reasons for grievances.

## **Conclusion**

16. The report identified a number of key indicators, issues and trends which will require consideration of development of strategies to assist improvement at local level. This includes:
  - i. The low levels of female and BME representation across the uniformed workforce
  - ii. The proportionally low levels of female and BME progression through the roles
  - iii. Levels of grievance/discipline cases involving women and BME uniformed personnel
  - iv. Bullying and harassment issues
  - v. The lack of available data on LGBT and disabled uniformed personnel
  - vi. Encouraging management commitment to consistently instigate and promote equality and diversity initiatives