



Classification	Official		
Meeting	Service Leadership Team	Agenda no.	6e
	Performance and Resources Board		9
Meeting Date	18 April 2023		
	1 June 2023		
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Subject	Safer Together		
Type of Report	Update		
PFCC Action Point No.	P&R 104	For Publication	Yes

RECOMMENDATION(S)

None. This report is for information only.

EXECUTIVE SUMMARY

Two external reports were published in November 2022; An inspection of vetting, misconduct and misogyny in the Police Service (HMICFRS – 2 November 2022) and the Independent Culture Review of London Fire Brigade (Nazir Afzal – 28 November 2022). As part of being a learning organisation, the Service Leadership Team (SLT) approved an initial response to these papers called ‘Safer Together’.

Safer Together consists of six initial recommendations which arose from reading the reports. The recommendations encompass; Safer Recruitment, Disclosure and Barring Service (DBS), Safe Places, Cultural Maturity Model, Mapping and Managing Allegations.

This paper provides an update on these six workstreams.

BACKGROUND

We are clear that these reports are not about ECFRS, however they provide valuable opportunities for reflection and some learning that we may be able to utilise.

An initial review of both reports prompted an immediate reflection about relevant approaches that we already have in place such as inclusion based training and ‘Safer

Recruitment', and things we have planned such as the Cultural Maturity Model. On 13 December 2022, the SLT approved an initial response to these papers which we are calling 'Safer Together', Safer Together consists of six initial recommendations which arise from reading the reports. The notes below reflect an update on each of the recommendations.

OPTIONS AND ANALYSIS

Safer Recruitment Audit

The Metropolitan Police report includes numerous observations regarding recruitment and vetting. A Safer Recruitment audit has been completed following the recent completion of our normal Safer Recruitment self-assessment (led by our Head of Safeguarding). The Safer recruitment audit spot checked 12 cases of recruits in the past 12 months across all the employee groups. The criteria used was the Government Guidance on Safer Recruitment. The initial findings have been shared with the Director of People Services and a review of these findings will be completed in April, including any actions which need to be taken as a result of these findings.

DBS Checks

We are progressing this workstream under formal project governance. Consultation has begun with representative trade union bodies and engagement with staff networking groups. We are encouraging a joint approach to implementation of basic DBS checks for public facing Fire and Rescue Authority employees and those who represent our services (including volunteers). Consultation began on the 6 March 2023 and will run until 28 April 2023, the trade unions have been provided with background information of the expectations on services and authorities to conduct Basic Disclosure and Barring Service checks on public facing staff to meet the NFCC Safeguarding Position Statement. The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 is expected to be amended later this year, this change would enable services to conduct Standard DBS checks and confirm their existing ability to conduct Enhanced checks (with checks of the barred list(s)) for fire and rescue authority staff, where appropriate. Other information shared with the recognised trade union bodies includes the benefits and project milestones.

New employees – the recruitment and appointment process currently in place for Firefighter roles will be extended to all public facing roles. For those roles that achieve the threshold for high levels of checks, the Service will continue with its existing approach.

Current employees – colleagues in roles identified for DBS check will be invited to undertake the application. In the event that a positive disclosure is received, a risk assessment will be undertaken utilising a fair and equitable process that considers the Rehabilitation of Offenders Act 1974. The NFCC positive DBS guidance will be utilised.

Safe Share

We have several routes for colleagues to express concerns and to seek support – line manager, advice and support from HR People Business Partner, Safeguarding Team, Occupational Health and Dignity at Work Advocates. A Safe Share Service was set up for all colleagues and was launched on 12 January 2023 so that our colleagues can feel safe to speak up and to discuss concerns relating to self and/or others and be confident that cases will be handled objectively and confidentially, and where necessary, anonymously. This service is an intelligence based early identification and intervention

approach that is available to all colleagues as well as those who represent the service (volunteers).

How the service works: Colleagues can contact a dedicated mailbox or telephone line. Safe Share is a central hub that offers support for colleagues or can gather information about concerns relating to others. It puts the wishes and feelings of those seeking support and guidance first. The mailbox is managed by the Head of Safeguarding and the Head of Employment Policy and Practice. The telephone line is available 24/7 and is managed by the Safeguarding team.

Following the call or email, options include:

- Referring the person to another service e.g. counselling, third sector signposting, Safeguarding referral etc.
- Offering coaching for a manager
- Offering a facilitated conversation
- Taking their complaint forward for an investigation

Since its launch in mid-January the confidential telephone number has received 12 calls and there have been 3 case reviews following emails received to the mailbox. These case reviews bring together leads in Safeguarding, HR, line manager and any other relevant area to draw upon expertise and information sharing. There are emerging themes beginning to show and this intelligence gathering will continue.

Feedback received from those who have made calls or contacted the mailbox has been positive. Feedback forms have been sent out after each case conferences to see what worked well and where changes can be made to improve the service going forward. Further work is required to raise awareness of the scheme.

Cultural Maturity Model

Alongside the existing Core Code of Ethics implementation plan, progress with utilisation of a Cultural Maturity Model as a means of measuring the effect of implementing the Core Code of Ethics and ensuring values and behaviours are incorporated and assessed. The 'One' employee engagement survey which closed on 28th November 2022 offers valuable insight into this.

Good progress has been made and this is going to be a project for the AD/AM development group. The project brief was shared with the group w/c 13 March 2023.

The project work was launched on 21 March 2023 and evaluation and recommendations will be available by the end of May.

Mapping

An internal working group consisting of the Assistant Director HR and Head of Employment Policy and Practice have undertaken a review and mapping of the Service's current practice against the 23 recommendations in the LFB report and the 43 in the police report to ensure that we have noticed any insight or learning.

The internal mapping exercise involved populating a table of the recommendations with confirmation as to whether the outcomes recommended from the reports were already in place in the Service and if so what the Services' approach was. The table included hyperlinks to specific documentation where necessary. Two separate tables

were completed, one for LFB recommendations and one for the Police recommendations.

An independent HR consultant was engaged to audit this mapping for accuracy and evidence. The review of the tables involved checking evidence of the approaches with the internal team by way of reviewing the documentation as well as meeting with relevant personnel and asking questions to gain clarity and corroboration of the statements made.

A full report has been prepared and contains key findings for each subject area: Learning and Development, Safeguarding, Occupational Health, Staff Survey, Recruitment, HR function and casework, and Data. The report also provides the following recommendations that the Service should consider following:

- Ensure Mental Health training is relaunched and uptake on courses is increased particularly for line managers. Consider developing and promoting a wider mental health provision than just the counselling service.
- Ensure Safer Recruitment training is relaunched and backdated to ensure hiring managers have undergone thorough training in this area.
- Consider undertaking a deeper review of all Strategy, Policy and Procedures to ensure the Service Values run as a golden thread throughout.
- Continue to develop the use of the Power Bi dashboards to enable better trend analysis allowing informed decision making and influencing strategy specifically in relation to leavers information.
- Update the Whistleblowing Policy.
- Consider spot checking or internal auditing the LRS and TAP Boards to ensure that decision making is consistent and long term temporary promotions are permanently filled fairly and following the correct procedures.

This is to be further reviewed by a Safeguarding lead from Essex County Council to review recommendations.

Managing Allegations

An external and independent HR consultant was engaged to undertake a review of grievance and disciplinary cases and allegations, over the past 12 months, that include reference to bullying, harassment, criminal allegations, racism, misogyny, prejudicial and improper behaviour and misconduct, with a view to identifying areas of good practice and providing recommendations about areas that the Service may learn from.

The Head of People Partnering and the Head of Employment Policy and Practice undertook an initial review of all disciplinary and grievance cases using a report obtained from the Service's case recording system. Their review identified those cases that met the criteria.

In total there were 11 cases that fulfilled the requirements of this review. 10 of the 11 cases were operational (Grey Book) employees. 4 cases were grievances, 5 were formal disciplinary and 2 informal disciplinary cases. 2 cases were criminal convictions, 7 cases were bullying and harassment and 2 cases were prejudice/discrimination.

The independent HR consultant took a deep dive review of each of these cases using the case files which included access to all letters, meeting notes, emails, forms, and other documentation held within each case folder.

A full report has been prepared and contains key findings for each subject area: HR's involvement in cases, use of investigations, disciplinary outcomes, grievance outcomes, escalation of cases. Whilst most cases appeared to be generally well managed, there was one case that had some concerning elements in relation to the wider context of the Safer Together recommendations and reports.

The report also provides the following recommendations that the Service should consider following:

1. To ensure ownership of the case and clarity on roles, all formal employee correspondence should be sent from and signed by the Hearing, Investigating or Line Managers.
2. The format of note taking should be consistently applied and an agreed approach undertaken by all notetakers.
3. Terms of Reference forms should be completed for all disciplinary and grievance cases prior to an investigation being undertaken.
4. Investigations should be undertaken for grievance cases (and not just disciplinary cases) and a report produced using the standard agreed format.
5. The use of the preliminary fact finding investigations should be agreed throughout the PBP team to ensure everyone has the same interpretation of what format this should take. Ideally this should be an initial conversation by the line manager to ascertain whether a formal investigation should take place.
6. Disciplinary Decision Forms should be completed on every case to outline the rationale behind the decisions made and to ensure a consistent approach is undertaken.
7. Managers and HR partners should proactively agree to reduce the time frames in resolving cases, specifically in relation to investigations. A best practice approach would be to aim for completion of an Investigation within 4 weeks. There should be a full commitment from the Service to allow those undertaking investigations, time out of their usual day job to complete these efficiently.
8. Clarity on how to effectively manage inappropriate behaviours (conduct vs capability) should be agreed so that the correct procedure is utilised and misconduct is not addressed using the Performance Management procedure instead of Disciplinary.
9. Improve people management training for managers, particularly at the supervisory levels, to ensure they have the skills and confidence to manage cases informally and they are less likely to be pushed up to senior management for resolution.
10. Develop checklists and flowcharts for disciplinary and grievance cases to ensure key considerations at each stage are not missed and managers have the correct tools to support them in managing these cases.
11. A review of guidance relating to employees involved in safeguarding allegations may be beneficial as this is not currently detailed within the Disciplinary Policy. This guidance should cross reference to the Service's wider safeguarding policies e.g. Domestic abuse and may include conducting regular risk assessments to inform decisions on progression of the case.

12. Continue to review the transfer request forms from Stations and leavers questionnaires to identify any patterns or trends which may indicate concerns at a particular Station, Watch or team.
13. Ensure the cultural investigations within Stations are fully monitored, actioned and followed up on a regular basis.
14. Encourage the PBP team to share learning and case reviews between them to ensure consistency in approach and opportunities for development.

RISKS AND MITIGATIONS

This is a potential control measure for strategic risk, SRR150019.

'There is a risk that the Service fails to provide a safe and inclusive culture which ensures the well-being of staff and contributes to attracting a diverse workforce'

LINKS TO FIRE AND RESCUE PLAN

This work enables a commitment in the Fire and Rescue Plan regarding positive culture.

FINANCIAL IMPLICATIONS

There are financial implications in relation to workstream 2 DBS Checks, please see PID for details.

LEGAL IMPLICATIONS

None associated with this report.

STAFFING IMPLICATIONS

There are no direct staffing implications arising from this report.

EQUALITY AND DIVERSITY IMPLICATIONS

The actions being taken will not have a disproportionate impact on individuals with protected characteristics (as defined within the Equality Act 2010), when compared to all other individuals and will not disadvantage people with protected characteristics.

Race	No	Religion or belief	No
Sex	No	Gender reassignment	No
Age	No	Pregnancy & maternity	No
Disability	No	Marriage and Civil Partnership	No
Sexual orientation	No		

The Core Code of Ethics Fire Standard has been fully considered and incorporated into the proposals outlined in this paper.

HEALTH AND SAFETY IMPLICATIONS

None directly associated.

CONSULTATION AND ENGAGEMENT

Consultation in relation to the DBS work commenced during Phase 15 to inform trade union representative bodies and encourage and support a joint approach to

implementation to achieve the best possible results in pursuing our Service's overall aims and objectives to carry out a Basic DBS check for public facing Fire and Rescue Authority employees and those who represent our Service (including volunteers). The trade unions will be provided with the necessary information for them to speak with their members and to engage on how implementation takes place.

FUTURE PLANS

These workstreams links to ongoing delivery of our People Strategy Action Plan.

LIST OF BACKGROUND PAPERS AND APPENDICES