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| Classification | Official | | |
| Meeting | Service Leadership Team | Agenda no. | 6c |
| | Performance and Resources | | 12 |
| Meeting Date | 16 July 2024 | | |
| | 27 August 2024 | | |
| Report Authors | Carole Hughes, Interim Head of Employment Policy & Practice | | |
| Presented By | Colette Black, Director of People Services | | |
| Subject | Working Well Together Quarter 1 2024-25 Update | | |
| Type of Report | Information | | |
| PFCC Action Point No. | N/A | For Publication | Yes |

RECOMMENDATION(S)

None. This report is for information only.

EXECUTIVE SUMMARY

A quarterly report is produced for the Service Leadership Team (SLT) to provide a snapshot of engagement and consultation with the recognised trade union representatives and covers Quarter 1 2024-2025.

This report provides an update on the headline topics from the policy schedule, any failures to agree, operations committee meetings and other associated activity where there has been the biggest change since the previous report.

Overall, during Q1 2024-2025 a total of 4 People Policies were published, 2 of these were reviewed and updated due to legislative changes. A further policy has been agreed and the Lead for that policy is currently working with the Communications team on a Q2 launch.

BACKGROUND

Our current approach was created as the output of workshops that we held with each of the representative bodies. It is intended to complement our formal mechanism – the Joint Negotiation and Consultation Committee (JNCC). The schedule of consultation involves seeking acceptable solutions to problems through a genuine exchange of views and information.

OPTIONS AND ANALYSIS

1. Policies, Guidance and Updates Published and implementation activity during Q1 2024-2025:

1.1. Legislative Changes to Policies:

The Paternity Policy (sharepoint.com) was updated in line with The Paternity Leave (Amendment) Regulations 2024 and published during Q1.

The Flexible Working Policy was updated in line with Flexible Working (Amendment) Regulations 2023 and the Employment Relations (Flexible Working) Act 2023 and published during Q1.

1.2. Legislation Forward Planning

The Worker Protection (Amendment of Equality Act 2010) Act 2023, which places a positive duty on employers to take reasonable steps to prevent sexual harassment of their employees in the course of their employment received Royal Assent on 26th October 2023. It is expected to come into force one year after that date: during Q3 2024/25. The Equality and Human Rights Commission is developing the new code of practice for employers. The Equalities and Diversity Policy is currently under review and will take the amendment and the Code of practice into consideration. Future policy development will continue to take account of the Equality Act 2010 (as amended).

On the way in 2025, but worth taking early note is the Neonatal Care (Leave and Pay) Act 2023 which will provide parents whose babies need neonatal care after birth with up to 12 weeks' neonatal care leave. The leave will be paid if the parent meets minimum service and pay requirements and it will be a day one right. It is intended that the statutory neonatal pay will be the same rate as other statutory rates will require 26 weeks of continuous service. Further national guidance will follow and shared when available in readiness for the April 2025 implementation date.

1.3. Other People Policy changes and allowance updates:

- The Smoking Policy from Phase 21 was agreed and published in Q1.
- The Fitness Policy from Phase 21 was agreed and published in Q1.
- The Electric Vehicle Charging Policy was agreed and is ready to be published online once the communications plan is finalised and will be published in Q2.

1.4. Operations Policies:

There were no Operations Committee policies consulted upon in Q1 concluded and published.

2 Consultation during Quarter 1 2024-2025:

2.1 Phase 21 (Launched 25th March 2024 – Ended 17th May 2024):

| Item | Consultation Outcome | Next Steps |
|--|---|---|
| Protection – Training Development Policy | Not agreed by FBU. Questions raised by FBU regarding use of NFCC code of ethics and | Further discussion taken place and an amended policy is redrafted. FBU rep is on leave until 15 th |

| Item | Consultation Outcome | Next Steps |
|--|--|--|
| | leadership throughout the document. FBU advise the agreement with the service was to reference not formally adopt. | July and this will be progressed afterwards. |
| Drivers Licence Checking Policy | Agreed | Published, is now live and being actioned. |
| Annual Leave | Failure to Agree | Meeting held with CFO and FBU. Further research and advice taken. Possible conflation of matters to strengthen case to be unpicked and replied to. |
| Flexi Officer Leave | Not agreed by FBU | Meeting held FBU and Lead to discuss questions raised and to formulate a way forward. |
| Ops Policies: Chlorine OIN Gerda Doors OIN P2 FF Driving (SLT Paper) Fb 244 Form | Please see item 4 below | Please see item 4 below |

2.2 Phase 22 (Launched in Q1, 9th June 2024 – Ending 12th July 2024):

- Expenses – subsistence claims and petty cash
- Apprenticeships: discussion with TU reps
- Learning and Development Policy: informal discussion meetings with TU representatives on feedback
- Improvements to risk information in CFRMIS (withdrawn when evident it was not a phase activity)
- Operations Policy:
 - USAR Canine Policy
 - Please note: JNCC previously had agreed the effluent decontamination policy was to be part of this phase however after research with the Project lead the policy is not at a stage to consult.

2.3 Outstanding Items from Previous Phases held prior to Q1 2024-2025:

| Item | Consultation Outcome | Next Steps |
|--|---|--|
| Whistleblowing, Complements & Complaints Policy (Phase 17) | All TUs agreed. Decision sheet submitted to PFCC. Amendments requested. | Being re-submitted to next Strategic Board for PFCC to sign decision sheet. Decision Report 021-24 to be progressed for formal approval and signing |

| Item | Consultation Outcome | Next Steps |
|--|--|--|
| | | within the PFCC's office – not yet signed. |
| Working Time Regulations (Phase 18) | UNISON, FOA and FRSA agreed. FBU provided feedback and paper submitted to SLT. | Awaiting further information regarding Service's position on daily rest breaks before responding to FBU. To progress the People Directorate currently working with Capsticks. |
| Annual Leave | FBU failure to agree meeting held by CFO | Undertaking work on WT Regs in support of progressing this policy. |
| Protection Training development policy | FBU awaiting response to their comments about referring to not following NFCC guide. | Wording been reviewed and amendments made to discuss with FBU rep on return from his leave. |

3 Failure to Agree Update

The **Annual Leave Policy, Unwanted Fire Signals, Marauding Terrorist Attack and Ten Second Triage** reached a Failure to Agree from the FBU and a meeting was held with CFO. Following this the People Directorate are undertaking research to clarify approaches to support progress.

4 Ops Committee Meeting (OCM):

An Operations Committee Meeting, Phase 21, was held 25th March 2024 and none of the policies were concluded. The same policies are still under discussion at the end of Q1 and are set out in the table below: the Rope Ratchet Tie Down noted below is a piece of equipment that was proposed to be added to vehicles. It was not a policy and the addition has been progressed.

| | FBU | FOA | FRSA |
|--|--|----------------------|----------------------|
| Chlorine OIN | FBU had some comments, this is still on-going. | No feedback received | No feedback received |
| Gerda Doors OIN | FBU had some comments, this is still on-going. | No feedback received | No feedback received |
| Rope Ratchet Tie Down (not a policy but equipment) | FBU happy with this to be added to the appliances. | No feedback received | No feedback received |
| FB244 Form | Wanted the changes to be discussed with Pete Dunn the H&S rep. This is on-going. | No feedback received | No feedback received |

| | FBU | FOA | FRSA |
|------|--|--|----------------------|
| TAIR | Additional work was to be completed by Philippa Roedel. There is no further update at this time. | some questions, this was shared with Philippa Roedel, there is no further update at this time. | No feedback received |

An Operational Committee was held on 3rd June and the following Policy was consulted upon. There was no feedback received and the policy is still under discussion.

| | FBU | FOA | FRSA |
|--------------------|----------------------|----------------------|----------------------|
| USAR Canine Policy | No feedback received | No feedback received | No feedback received |

USAR Reservist Contract - negotiations closed however discussions have prompted a need to recalculate alternative options and resubmit SLT paper for decision before new proposal negotiated and work on this is continuing.

RISKS AND MITIGATIONS

We have a shared vision and are clear about our Service aspirations, representative body priorities nationally and locally, delivery of priorities within the Fire and Rescue Plan (which are reflected in the annual plan), staff survey and HMICFRS feedback. We have a shared understanding of different perspectives, agreement on amendments to plans if needed and/or appropriate.

LINKS TO FIRE AND RESCUE PLAN

As set out in the Fire and Rescue Plan

- Promoting a positive culture in the workplace
- Be transparent, open, and accessible
- Make best use of our resources

As well as the following Service Values

- Value the contribution of all
- Always professional
- Work as one team

FINANCIAL IMPLICATIONS

No financial implications associated with this paper.

LEGAL IMPLICATIONS

No legal implications associated with this paper.

STAFFING IMPLICATIONS

No staffing implications associated with this paper.

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 | N | Religion or belief | N |
| Sex | N | Gender reassignment | N |
| Age | N | Pregnancy & maternity | N |
| Disability | N | Marriage and Civil Partnership | N |
| Sexual orientation | N | | |

This Working Well Together update does not have any direct impact on protected groups as defined within the Equality Act. However, each individual policy has a full People Impact Assessment which demonstrates consideration of all impacts arising from the policy.

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

HEALTH AND SAFETY IMPLICATIONS

No health and safety implications associated with this paper.

CONSULTATION AND ENGAGEMENT

This piece of work is helping to strengthen the working relationships between the Service and Trade Unions. We are committed to working in the spirit of the 2007 NJC Joint Protocol for good industrial relations and the structure agreed is in line with those principles.

FUTURE PLANS

We are committed to continuing to work together to develop and deliver policies that support our strategy.

Alongside TU involvement in the phases there is now the opportunity for colleagues who are not a member of a trade union to have their say during each consultation by emailing their feedback to employmentpolicyandpractice@essex-fire.gov.uk. They will not receive an individual response however all responses will be considered.

We are also committed to developing our processes for clarity, collation and speed. As a result a matrix and template is being created to help identify whether a Policy will need consultation or negotiation. It will also identify light touch for example legislative change and for information only.

Another new element, engagement prior to policy submission, is being considered with invitations to TU representatives to meet and discuss and influence specific policy development. This approach is being piloted during Phase 22 with the learning and development policy. We will take learning from this into Phase 23 or of course cease if not effective.

The new matrix and new template will be piloted for Phase 23. The intention is to flag any light touch policy change and to save the time of TU representatives. Further details will follow once the pilot has taken place and any amendments made.

LIST OF BACKGROUND PAPERS AND APPENDICES

N/A.