

The report is Not Exempt

The report is for Information

REPORT TO: RESOURCE MANAGEMENT
COMMITTEE

MEETING DATE: 15/04/24

SUBJECT: PEOPLE AND WELL-BEING UPDATE REPORT

PURPOSE OF REPORT AND REASON FOR RECOMMENDATION(S):

To provide Resource Management Committee Members with an update on Human Resources key areas for information purposes only.

EXECUTIVE SUMMARY

This report provides Members with an update on various Human Resources key areas during the period October 2023 to March 2024.

RECOMMENDATIONS:

Members are asked to note the People and Well-being Update Report.

REPORT APPROVAL

Clerk / Monitoring Officer:

Comments: Approved

Relevant Director:

Comments: Approved

Section 151 Officer/Treasurer:

Comments: Approved

Chief Fire Officer /
Deputy Chief Fire Officer

Comments: Approved

**ACCESS TO INFORMATION LIST OF BACKGROUND PAPERS USED IN THE
PREPARATION OF THIS REPORT: N/A**

Presenting the Report:

Mr Mydrian Harries
Assistant Chief Officer – Director of Resources

Report Author(s) and Designation

Mr Mark Miles
Head of Human Resources

Date original report written

22/03/2024

Mae'r Adroddiad Heb ei eithrio

Mae'r Adroddiad ER GWYBODAETH

**ADRODDIAD I'R: PWYLLGOR RHEOLI
ADNODDAU**

DYDDIAD Y CYFARFOD:
15/04/24

**TESTUN: DIWEDDARIAD CHWARTEROL AC ADRODDIAD Y SEFYDLIAD AR
ADNODDAU DYNOL FEL YR OEDD AR 31 RHAGFYR 2021**

**DIBEN YR ADRODDIAD A'R RHESWM DROS YR
ARGYMHELLIAD/ARGYMHELLION:**

Rhoi diweddariad i Aelodau'r Pwyllgor Rheoli Adnoddau ar ffrydiau gwaith Adnoddau Dynol, a hynny er gwybodaeth yn unig.

CRYNODEB:

Mae'r adroddiad hwn yn rhoi diweddariad i'r Aelodau ar ffrydiau gwaith amrywiol Adnoddau Dynol yn ystod y cyfnod rhwng mis Hydref a mis Rhagfyr 2021. Mae'n cynnwys mentrau sydd wedi'u cwblhau a'r rhai sy'n mynd rhagddynt.

ARGYMHELLION:

Gofynnir i'r Aelodau nodi'r Diweddariad Chwarterol ac Adroddiad y Sefydliad ar Adnoddau Dynol.

CYMERADWYO'R ADRODDIAD

Clerc:

Sylwadau: Cymeradwywyd

Cyfarwyddwr berthnasol:

Sylwadau: Cymeradwywyd

Swyddog Adran 151/Trysorydd:

Sylwadau: Cymeradwywyd

**Prif Swyddog Tân /
Dirprwy Brif Swyddog Tân**

Sylwadau: Cymeradwywyd

**PAPURAU CEFNDIR A DDEFNYDDIWDYD WRTH BARATOI'R ADRODDIAD HWN:
Amherthnasol**

Yn cyflwyno'r Adroddiad:

Mydrian Harries

Awdur(on) yr Adroddiad a'u Swyddi

Mark Miles

Dyddiad yr ysgrifennwyd yr adroddiad
gwreiddiol

22/03/2024

**RESOURCE MANAGEMENT COMMITTEE
15 APRIL 2024
PEOPLE AND WELL-BEING UPDATE REPORT**

1 Executive Summary

This report provides Members with an update on various Human Resources key areas during the period October 2023 to March 2024.

2 National/Wales Position

Whilst this report is specific to Mid and West Wales Fire and Rescue Service, the Human Resources Department is committed to collaboration where there are clear benefits to doing so by way of the All-Wales HR Managers Group, All Wales Equality Diversity and Inclusion Group, All Wales Pensions Group, and All Wales People and Organisational Development Group.

3 Mid and West Wales Fire and Rescue Service Current Position

Current HR activities (although not exhaustive) and an establishment update is set out in section 13.

4 Proposal

This report is for information only.

5 Service Commitments, Improvement Objectives and Well-being goals

A Well-being Update is also submitted in section 13 below.

6 Financial/Procurement Implications

Considered, but not deemed relevant to the report – for information only.

7 Risk Assessment/Legal and Compliance Implications

Considered, but not deemed relevant to the report – for information only.

8 Fire Authority Governance Implications

This Report is in accordance with the terms and reference of the Committee as detailed in Article 6 of the Fire Authority Constitution.

9 Equality and Diversity, including the Socio-economic Duty and Welsh Language Standards implications

Neurodiversity disclosures have decreased across the Service since the last reporting period. A summary of new and current cases are detailed below.

Disclosures this reporting period (dyslexia, ADHD, Autism)	3
College Dyslexia assessments this reporting period	1
Total number of disclosures within the Service	126

10 Data Protection and Privacy Issues

All personal and sensitive information is processed in accordance with Data Protection legislation and the Service's policies and procedures, which are regularly reviewed.

11 Consultation and Communication

Consultation is undertaken with trade unions as required for any matters through the recognised consultation process. Communication and employee engagement takes place as standard practice.

12 Prevention, Protection and Response Implications

Effective workforce planning ensures the Service has the necessary number of employees with the appropriate skills to meet service delivery requirements. Current challenges with the recruitment and retention of support staff could impact on service delivery, although every effort is being made to mitigate impacts insofar as possible.

13 Human Resource and People Development Implications

13.1 Establishment

The Service's substantive establishment is 1357. A summary for each employment type is given below as of 21 March 2024:

	Establishment	Working Establishment *	Headcount
Wholetime	400	409	415
On-Call	702	n/a	674 (566.75 FTE)
Control	23	n/a	30 (28 FTE)
Support Staff	232	251	237 (226.90 FTE)

*The Service also has in place several externally funded posts such as New Dimensions and Urban Search and Rescue, which are funded by Welsh Government, together with several long-term project roles to deliver on initiatives such as the Service Innovation Strategies.

13.2 Equal Opportunities Profile

13.2.1 Gender

	Wholetime	On Call	Control	Support Staff	TOTAL
Male	371	624	14	97	1106
Female	44	50	16	140	250

13.2.2 Age

	Wholetime	On Call	Control	Support	TOTAL
18-24	11	54	0	11	76
25-34	97	183	7	37	324
35-44	128	224	13	71	436
45-54	157	146	6	59	368
55-64	22	64	4	51	141
65+	0	3	0	8	11

All other equality data are reported in the Annual Equality Report at the end of March each year.

13.3 Turnover

Starters (April 2023 – March 2024)

	Wholetime	On-Call	Control	Support Staff
Male	24	65	2	15
Female	5	8	2	22

Leavers (April 2023 – March 2024)

	Wholetime	On-Call	Control	Support Staff
Retirement	9	4	1	1
Ill Health Retirement	1	2	0	0
Resignation	5	59	0	18
Other reason	0	3	0	2

It is not possible to factor retirements into future recruitment and resourcing plans as accurately as in the past due to the removal of the compulsory retirement age.

Note:

- The normal retirement age for the Firefighter Pension Scheme (Wholetime and On Call personnel) is 60 years old.
- The normal retirement age for the Local Government Pension Scheme (Support and Control personnel) is state pension age.

Turnover rates in % (actual number of personnel)

(does not include retirements or ill-health retirements)

	Wholetime	On-Call	Control	Support Staff
Jan – Mar 2024	1.46% (6)	2.5% (17)	0%	2.9% (7)
Oct – Dec 2023	0.98% (4)	1.36% (9)	3.33% (1)	0.84% (2)
Jul – Sept 2023	0.25% (1)	2.41% (16)	0%	2.12% (5)

Apr – Jun 2023	0.98% (4)	3.00% (20)	0%	2.55% (6)
Jan – Mar 2023	3.88% (16)	2.85% (19)	0%	4.25% (6)
Oct – Dec 2022	0.48% (2)	1.49% (10)	0%	3.03% (7)
Jul – Sept 2022	1.66% (7)	2.96% (20)	4.65% (1)	2.72% (6)
Apr– Jun 2022	1.43% (6)	1.62% (11)	4.44% (1)	5.58% (12)

13.4 Recruitment Profile

13.4.1 Wholetime recruitment

The latest Wholetime recruitment campaign concluded in December 2023.

The breakdown of the number of applicants who were interviewed and successfully passed are as follows:-

Number interviewed (6 questions and group action learning set)	171
Which include:-	
Female	12
Male	157
Prefer not to say	2
Agreed that individual had to pass 5 questions and group action learning set	
Number who passed	47
Which include:-	
Female	6
Male	41

The first cohort (On Call conversion course x 12) commenced their wholetime employment on 25 January 2024 and undertook an 8-week course. All 12 recruits successfully completed the course and are now on their allocated stations.

A second cohort (members of the public x 12) are scheduled to commence employment on 17 April 2024 for a 14-week course.

A further 23 individuals have been placed on a holding list for the next 12 months.

13.4.2 On-Call Recruitment Profile

Since April 2023, 73 On-Call recruits have been employed. There are presently 60 applicants who have expressed an interest in becoming an On Call Firefighter and are subject to the appropriate selection assessments prior to being deemed suitable for employment.

Applicants are split across Divisional areas as follows:

	Total	Gender	
		Male	Female
Northern Division			
Powys	17	15	02
Ceredigion	04	03	01

Western Division			
Carmarthenshire	09	07	02
Pembrokeshire	15	14	01
Southern Division			
Swansea	04	04	00
Neath Port Talbot	11	09	02

60 individuals are in the recruitment process:

- 15 have been invited to Assessment Days during coming months.
- 14 individuals have been allocated On-Call Recruit Initial courses (i.e. they have passed all pre-employment checks and are on target for courses in April 2024).
- Another 31 applicants are either subject to satisfactory medical clearance; practical and physical re-assessment; or their hours of availability are being considered at local level (at the time of writing).

13.4.3 Support Staff Recruitment and Retention

As reported previously, the Service, together with many other public sector and private sector organisations is experiencing continued challenges with the recruitment and retention of support staff. The Service is taking steps to improve recruitment and retention through completion of a Job Evaluation exercise, and has recently completed a review of procedures covering flexible working arrangements, and flexible working hours arrangements. The Service's employee benefit schemes are also under review, with a new provider, Edenred, recently going live.

13.5 Professional Standards & Behaviour Related Complaints

13.5.1 Professional Standards and Key Case Investigations

Since the launch of Speak Up, the Service's staff independent reporting line on Thursday 14 September 2023 there have been 14 complaints received. As clarified previously, the line provides a safe space for staff to speak up when something isn't right. Fire and Rescue Service Speak Up is run by Crimestoppers, and allows staff to anonymously report any workplace issues of concern including the following:

- Discrimination and harassment;
- Misogyny and violence against women and girls;
- Health and safety breaches;
- Fraud and corruption;
- Poor or unsafe working practices.

A summary of cases arising between 01 April 2023 and 31 March 2024 can be seen at **Appendix A**, which includes internal matters arising (including grievances), external complaints and Speak-Up reports, where the alleged misconduct relates to behaviour which may not align with the expected professional standards within the Service.

13.6 Firefighter Pension Scheme Activity

13.6.1 McCloud / Sargeant Remedy

The Firefighters Pensions (Remediable Service) (Wales) Regulations 2023 were laid and came into force on 01 October 2023 to make provision for Scheme Managers to implement the changes necessary and these are required to be completed within an 18-month period. The Regulations place all eligible active employees back into their legacy schemes for the period 01 April 2015 to 31 March 2022 and offer a choice of legacy scheme or reformed. The Regulations not only affect current employees but include former employees who are deemed eligible members. The Service has identified and communicated with all members considered to be in-scope.

A detailed review of each payroll and pension record is required to ensure that each element of pay is correctly treated for pension purposes. The employee's pension contribution will also require adjustment and arrangement is made within the Regulations for the treatment of tax relief on such contributions. The work is concluded through the provision and actioning of a Remediable Service Statement (RSS) for each eligible member.

The Local Government Association (LGA) commissioned an external agency to provide templates for the various Remediable Service Statements (RSS) that will be required to be used by all Fire and Rescue Authorities (FRAs). The LGA shared the template with the three Services in Wales to enable an "All Wales" RSS to be developed so that it meets the needs of the Firefighter Pension Schemes' in Wales. The three Service's in Wales have agreed on the RSS templates, and they have been issued to the Administrators to ensure they are useable prior to them being issued to pension scheme members over the next few months.

In addition, the Government Actuary's Department released a calculator for FRAs to calculate contribution adjustments, including tax relief and interest, for members in-scope for remedy.

The calculator requires the inputting of contribution and tax data for the relevant remedy years (01 April 2015 to 31 March 2022) and works out the net money owed by members to the scheme for underpaid contributions, and compensation owed by the scheme to the member for overpaid contributions, where applicable.

For individuals retiring from 01 October 2023, who are known as Deferred Choice retirement cases, the GAD calculator has been used so that this can be included within the contribution adjustment in their benefit illustrations.

To date, 10 deferred choice retirement cases have been processed since 01 October 2023 and all lump sum and pension benefits were paid within the timescales set out in the Service Level Agreement.

Financial data in respect of members in the Firefighter Pension Scheme 1992 (FPS 1992) has been received by the Dyfed Pension Fund and work relating to the data to members of the Firefighter Pension Scheme 2007 is in progress.

13.6.2 Pension Entitlements for Retained Firefighters 2023

By way of providing some background, for many years, retained firefighters had no access to an occupational pension scheme. This did not change when the Part-time

Workers (Prevention of Less Favourable Treatment) Regulations 2000 were introduced as the National Employers held the view that the work of retained firefighters was not sufficiently comparable to that of wholetime firefighters.

This was subsequently overturned following the case of Matthews v Kent and Medway Towns Fire Authority (Matthews) and as a result the Firefighters' Pension Scheme (Wales) Amendment Order 2014 created a "modified scheme" for retained firefighters. Retained firefighters were permitted to join the scheme retrospectively and purchase past service from 01 July 2000 onwards.

More recently, a review took place on the pension's aspect of the Matthews case, following the European Court of Justice's decision in O'Brien v Ministry of Justice concerning fee paid judges in the Judicial Pension Scheme. The judgment held that remedy could extend back before the Part-Time Workers Directive was required to be implemented on 07 April 2000. As a binding judgement, the finding applied across all such claims and therefore the UK Government recognised the right applied to retained claims also.

On 14 July 2023 the Welsh Government who have devolved responsibility for the Firefighters' Pension Scheme(s) in Wales (except the 1992 scheme) released a consultation on amendments to the Firefighter Pension Schemes in Wales to extend access to pension entitlement for retained firefighters with pre 2000 service. The Service submitted the response to the consultation on 06 October 2023 as agreed at the Local Pension Board on 04 October 2023.

The Service identified 706 eligible individuals in scope for this exercise and they have been notified of their entitlement to join the scheme in line with the necessary timescales. The Service now has 3 months to provide individuals who return their expression of interest form with the appropriate information in terms of the cost and the benefits it will buy them within the Scheme. However, the Service has been notified by the Welsh Government that we are still waiting for the Government Actuary Department (GAD) to provide the calculator to the three Service's in Wales.

13.6.3 Complaints outstanding with the Pensions Ombudsman

There is 1 complaint still outstanding with the Pension Ombudsman which relates to the Service not recalculating an individual's Cash Equivalent Transfer Value (CETV) (issued in 2010) following the High Court Judgement on Pensionable Pay within the Firefighter Pension Schemes. The Service has received communication from the Pension Ombudsman on 16 February 2024 to advise that the complaint is awaiting to be allocated to an Adjudicator, which should be within the next 2-3 months. Once the Adjudicator has made their decision the Service will be advised

13.6.4 Internal Dispute Resolution Procedures Stage 1 and Stage 2 Applications

There has been one Stage 1 application received on 02 November 2023. The complaint related to incorrect pension accrual information being provided to a member which led to the member handing in their notice to retire under the rule of 75 (Age 50 and 25 Years Service), earlier than required to be eligible for payment of benefits. The matter was considered by the Chief Fire Officer who responded on 24 November 2023 and in view of the circumstances partly upheld the complaint exercising a discretion to place the member on unpaid leave with the Service meeting the employer contribution costs during that period enabling the member to retire and draw pension benefits as intended.

13.6.5 Appeals referred to the Board of Medical Referees

There has been 1 Appeal received during the reporting period which related to the Authority not recognising a qualifying injury. However, the Appeal was submitted back to the Independent Qualified Medical Practitioner (IQMP) for review under Regulation 163 of the Firefighters' Pension Scheme (Wales) 2015, the Regulations allow that the original IQMP should be given the opportunity of reviewing the original opinion in light of the Appeal documentation received, prior to the Appeal being forwarded to the Board of Medical Referees. The Appeal was submitted back to the IQMP for review on 18 January 2024 and the IQMP's determination has been reported to the complainant.

13.7 Health and Wellbeing

Shift days lost per person for Welsh Fire Services for the reporting period 2022/2023:

Fire Service	Wholetime	Control	Non-Ops
North Wales	9.10	8.07	11.15
South Wales	14.58	47.97	15.68
Mid and West Wales	10.82	13.75	10.07

Mid and West Wales FRS only:

Year v Year: February 2024	2023/2024	2022/2023	Actual 2021/2022 EoY
Shifts lost per FTE	9.36	9.84	-
End of Year Prediction	10.21	10.74	8.88

February 2024	Total Days Lost	Musculoskeletal	Mental Health	Respiratory	Gastrointestinal	Other
Total for	7,359	2,432	1,627	1,034	494	1,772
Current Year						
2023/2024						
Total 2022/2023	8,601	2,831	1,334	1,823	570	2,043
Total 2021/2022	8,789	2,642	2,158	2,403	244	1,342
Total 2020/21	4,236	1348	1106	1782	112	877
Total 2019/20	6,179	1497	2547	585	328	1,222
Total 2018/19	6776	2114	1936	699	368	1,659
Total 2017/18	5,520	2057	1314	789	385	975
Total		30%	20%	13%	6%	
Percentage						

*Sickness absence – Major Causes

Occupational Health Clinics

Occupational Health Nurse clinics	55
Pre-employment clinics for new recruits	28
Occupational Health Doctor clinics	44

*Within this reporting period

Fitness Testing

Satisfactory	Unsatisfactory	Pass
979	5	99.65

*As at 25th March 2024

14 **Information and Communications Technology (ICT) / ICT Strategic Advisory Team (ISAT) Implications**

Considered, but not deemed relevant to this report.

15 **Estates Implications**

Considered, but not deemed relevant to this report.

16 **Fleet, Engineering and Logistics Implications**

Considered, but not deemed relevant to this report.

17 **Evaluation**

Considered, but not deemed relevant to this report.

18 **Recommendations**

Members are asked to note the People and Well-Being Update Report.

Appendix A

Reporting period 01 April 2023 to 31 March 2024 (date arising) including on-going cases (to-date)

Internal Matters arising (including Grievances), External Complaints and Speak-Up Reports

Nature	Internal matter	Number of employees involved	External Complaint	Number of employees involved
Misogynistic nature	1 (1 x Speak Up)	1	1	1
Bullying and Harassment	0	0	1	1
Racist nature (workplace related)	2* (1 x Speak Up)	3	0	0
Sexist nature (including male-female, and female-male) (workplace related)	(1) (1 x Speak Up)	1	(2)	2
Sexist nature (including male-female, and female-male) (outside workplace)	0	0	1	1 (1 x Crew/US)
Homophobic nature	0	0	0	0
Sexual nature (workplace related)	3 (2 x Speak Up)	3 (1 x Crew/US)	(1*)	1
Sexual nature (range of allegations including Section 5) (outside workplace)	0	0	5	5
Child related (abuse/neglect/Section 5)	0	0	0	0
Drug or Alcohol related	3 (3 x Speak Up)	3	1	1
Damage to Property	0	0	3	3 (3 x Crew/US)
Nepotism	1 (1 x Speak Up)	1	0	0
Other inappropriate comments or behaviour (workplace related)	(9*) (4 x Speak Up)	11	6	6 (1 x Crew/US)
Other inappropriate comments or behaviour (outside workplace) including Section 5	5 (2 x Speak Up)	5	14*	15 (5 x Crew/US)
Driving related (workplace related)	0	0	2	2
Driving related (outside workplace)	0	0	0	0
TOTAL	24 (see () below) (15 x Speak Up)	TOTAL = 28	37 (see () below)	TOTAL = 38

*=Includes multiple individuals in one complaint.

()=Linked complaint covering two different criteria, therefore true totals are one less for Internal and External

(Crew/US=not specific to individual employee)

Outcomes

18 x On-going

31 x No further action following investigation (no evidence to support)

2 x No further action following investigation and drug or alcohol testing (no evidence to support)

2 x Informal action (discussion with manager)

2 x Written Warning

1 x Final Written Warning (+ Demotion)

2 x Resigned

3 x Resolved with property owner