



**SCOTTISH**  
**FIRE AND RESCUE SERVICE**

Working together for a safer Scotland

## **Scottish Fire and Rescue Service Mainstreaming Report 2013**

### **1. Introduction**

In accordance with the requirements set out in the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, the Scottish Fire and Rescue Service (SFRS) is required by 30 April 2013 to publish:

- Equality Outcomes
- A Mainstreaming Report
- An Equal Pay Statement
- Gender pay gap information
- Occupational segregation information

This report is the Mainstreaming Report for the SFRS.

### **2. Legislative Background**

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 requires listed bodies to produce and publish a report detailing the steps it has taken to mainstream equality across its functions. The Regulations provide devolved public bodies in Scotland with instruction on how to demonstrate compliance with Section 149 of the Equality Act 2010 which requires public bodies to take due regard of the need to:

- Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited under the Act
- Advance equality of opportunity
- Foster good relations between people who share a protected characteristic and people who do not share that protected characteristic

This obligation is referred to as the general equality duty and public bodies must consider each of the 3 elements of the duty in exercising its functions.

There are nine protected characteristics defined in the Act:

- Age
- Disability
- Gender Reassignment
- Pregnancy and maternity
- Marriage and civil partnership
- Race
- Religion and belief
- Sex
- Sexual Orientation

The Regulations require that a Mainstreaming Report is published by 30 April 2013 and not later than every two years thereafter. Each report should contain information reflecting activity carried out in the organisation in the previous 12 month period.

### **3. Purpose of the Mainstreaming Report**

The Mainstreaming Report is an opportunity for public bodies to outline the steps it has taken to make equality an integral part of all of the authority's relevant functions and practices, carried out by all staff, embedded across policies, procedures and corporate systems and in business planning and reporting cycles.

The Mainstreaming Report should also provide information on the activities undertaken by the authority in the previous 12 months to comply with Regulation section 6 (1) to take steps to gather, use and publish employee information where this information is not available under other publication.

### **4. The Mainstreaming Report in the Context of Fire Reform**

The SFRS came into existence on the 1 April 2013. Prior to 1 April 2013 there were 8 independent Fire and Rescue Services covering all 32 local authority areas in Scotland. The transition to a single service was not a direct amalgamation of 8

services into a single service but involved the disestablishment of 8 services and the formation a new legal entity of the SFRS with its own distinct legal parameters. This means that on the publication date of 30 April 2013 the SFRS will have been in existence for 30 days. Rather than reporting on those activities the Board of the SFRS has taken in the period 1 April to 30 April 2013 to mainstream equality within the fire service this report will focus on those activities undertaken on behalf of the SFRS as part of the Fire Reform Programme involving Scottish Government, fire and rescue personnel and staff representative bodies.

While the legal obligation to publish a Mainstreaming Report falls to the Board of the new SFRS it should be noted that the content of this report largely falls out with the period of time that the SFRS has operated. The Board of the SFRS is currently considering the approach it would wish to adopt and promote to mainstream equality and a SFRS equality and diversity strategy will be published in due course.

## **5. Mainstreaming Equality**

The Fire Reform Programme was directed by the Scottish Government and supported by both fire service personnel and employee representative bodies. The Programme to achieve reform and establish a SFRS was divided into a number of smaller projects covering distinct functional areas and split between those led by Scottish Government colleagues and those led by fire service personnel. The focus of this section on the Mainstreaming Report will be on those projects led by fire service personnel as these were the projects most directly relevant to matters of equality.

Scottish Government led projects amounted to 10 covering, in the main, activities surrounding the legal obligations for the dissolution of the 8 antecedent fire authorities and the establishment of a legal entity called the Scottish Fire and Rescue Service, the appointment of the Chief Officer and Board and the preparation of the main operating framework for the fire service known as the Fire Framework. To support Scottish Government colleagues in identifying and embedding relevant equality issues within these projects a secondment was made of an equality and diversity specialist from the fire service into Scottish Government.

At the start of the reform programme the fire service led on 22 distinct projects covering all functions of the fire service. Focus was given to ensuring a seamless transition and continuity of service provision between 31 March and 1 April 2013 as well as identifying a model of best practice for the future activity and staffing structure to be recommended to the Board of the SFRS.

One of the 22 fire service led projects was the Equality and Diversity Project Group. In addition to having discrete equality objectives such as preparing the SFRS for compliance with the Equality Outcomes duty, the Equality & Diversity Project organised itself to ensure mainstreaming of equality within the fire reform programme. The aim being that by mainstreaming equality within the reform programme there would be a continuation of a mainstreamed approach to equality within the new Scottish Fire and Rescue Service.

Each of the remaining 21 projects were assigned an equality and diversity practitioner to provide advice, guidance and support in identifying equality issues, meeting equality obligations and seeking ways to embed equality considerations into future working practices. The Equality and Diversity Project implemented a standardised Equality Impact Assessment process at the start of the reform programme and focused the attention of other project groups on using this as a tool for complying with equality legislation as well as a means to mainstreaming equality.

### **Case study**

#### **Operations Assurance Project**

The Operations Assurance Project was established to identify and recommend best practice on testing operational fire and rescue service activity for the purposes of ensuring the safety of firefighters and others, improving performance and achieving best value. This is achieved by testing processes and reviewing activity at pre-incident, during incident and post-incident interventions.

Working together the Operations Assurance Project, and the equality and diversity practitioner assigned to support the group, examined each of the stages carried out by the Operations Assurance Team and identified areas where equality measures

could be embedded which would a) add value to the results of the Operations Assurance process by either improving firefighter safety or service provision and, b) not be disproportionately burdensome or detract from the overall purpose of Operations Assurance.

One example of how equality issues have been embedded into the work of the Operations Assurance team is in the use of Pre-Incident assessments. One element of the Pre-Incident assessment is to test the suitability, availability, use and maintenance of operational equipment. Equipment includes the protective clothing (PPE) issued to firefighters to provide protection from fire and high temperatures. Health and safety testing has determined that male and female firefighters require different types of PPE in recognition of the physiological differences between men and women. This is clearly a health and safety issue but has a relevance to equality in the sense that it specifically addresses the different needs of men and women. The Operations Assurance team can easily include within their review of the provision of PPE that it is being correctly distributed on the grounds of the gender of the user, is being used appropriately by personnel and that both types of PPE have the same standards of maintenance.

This is one simple example of how Operations Assurance have committed to specifically addressing equality issues in their day-to-day work. It should be recognised that this example highlights an activity that would most certainly have been carried out for the purposes of ensuring health and safety but that as an organisation we are seeking to identify and highlight examples of relevance to equality. In due course most public bodies would aim to embed equality to such an extent that it is no longer something we need to consider as a stand-alone factor but for the time being it is important not to mainstream equality issues to the point they can no longer be identified.

The process adopted for the Equality Impact Assessment allows for the SFRS to review commitments given by functions on mainstreaming equality, and within the example provided in the case study, the Operations Assurance Team will be required to demonstrate that they have undertaken the equality initiatives they said they would adopt.

This approach to identifying and embedding equality into the day-to-day working practices of functions in the SFRS was replicated across the programme areas. The methodology of reviewing equality impact assessments will continue within SFRS as will the partnership approach to providing equality support to functional areas.

## **6. The Mainstreamed Equality Model in Structure Design**

The design of the staffing structure in the SFRS was developed to support mainstreaming of equality. The Equality and Human Rights Commission set out in their guide *Mainstreaming the equality duty: A guide for public bodies* that it should be the ambition of public bodies to reduce the reliance on specialist equality and diversity support as capacity within the organisation on equality matters is established.

To support the capacity building of equality across the organisation the SFRS has established a small, corporate Equality and Diversity Team. The team will provide advice, guidance and support to functional areas on identifying and meeting their equality obligations under a 'business partner' model approach. The Equality and Diversity Team will oversee the management of the equality impact assessment process including administering the review process to monitor and assess intended impact versus actual impact of policy decisions.

## **7. Mainstreaming Equality and Training and Development**

The Equality and Diversity Team will work with personnel from across functions and learning and development specialists to ensure that training provided appropriately captures equality issues.

### **Case study**

#### **Enforcement Officer Training**

Within one of the antecedent authorities a training programme was developed and delivered to Fire Safety Enforcement Officers with the intention of sharing this resource with the remaining 7 fire and rescue services and adopting it within the SFRS. Enforcement personnel are responsible for undertaking reviews of business

premises and public venues regarding compliance with fire safety standards. This role brings them into direct contact with Scotland's diverse communities.

During the delivery of the training programme it became clear that there was a potential gap in the knowledge of some Enforcement personnel on equality awareness as it related to Enforcement activities. While all fire and rescue services have implemented training courses on equality awareness and this particular service had implemented a robust, and compulsory equality awareness course over an extended period of time, there had not been a specific course identifying potential conflict between enforcement activity and meeting the general equality duty.

The issue that was identified was how to best manage a potential conflict between the statutory obligations to deliver fire safety enforcement activity and maintain good relations between the fire service and the business community, while meeting the requirements of the Equality Act 2010 and, in particular, fulfilling the general equality duty. Examples were provided by Enforcement personnel of encountering challenges from some minority ethnic and minority faith groups in accessing premises and workers within those premises citing religious and cultural reasons for denying access.

Working together the management team of the Enforcement section, learning and development specialists and the equality practitioner designed a training module that reinforces the statutory obligations of Enforcement officers and the associated rights they have alongside a fuller understanding of equality issues that may arise in executing these functions. The role of the equality practitioner in the design of this module was to identify business community representatives from minority groups who could participate in the module as 'expert witnesses'. The role of the community representative in the module is to share their knowledge of community beliefs and practices and their view of how the fire service is perceived within these community groups. The overall purpose of the module is to reinforce the statutory rights of the Enforcement officers to undertake their duties within the context of identifying genuine challenges on the grounds of cultural or religious beliefs and how to manage these challenges in a sensitive, appropriate and proportionate manner

This module is due to be delivered in 2013.

Capacity building using a range of development techniques and interventions is a long standing practice amongst fire and rescue services in Scotland. The role of development activities in building capacity amongst the workforce to embed equality across functional areas is an obvious one. The ability of an organisation to mainstream equality relies on more than the provision of development activities on equality it is also reliant on the method it employs to provide those development activities. The ethos of mainstreaming equality should be embedded within the principles of the organisational approach to training and development. The case study above outlines one example of how equality issues can be embedded into a broader themed training programme acknowledging, as the Equality and Human Rights Commission does in its Mainstreaming guide, that 'Training on the [general equality] duty is likely to be most effective if it is tailored to the particular work or responsibilities of staff.'

Establishing equality related training as 'just another tool of the job' makes such development interventions more useful, more readily applied in job function and more sustainable for the organisation to deliver. The practice of including general equality awareness courses as part of job induction programmes and standard items in the organisation's training catalogue, delivered by learning and development professional's best practice.

There is a specific need to ensure that those individuals required to complete equality impact assessments are trained to do so. As part of the work undertaken by the Equality and Diversity Project Group an Equality Impact Assessment training programme has been developed for implementation in the new Scottish Fire and Rescue Service and the learning of participants on this course will be underpinned using the 'business partner' model approach to consolidate learning.

## **8. Using Equality Outcomes to Mainstream Equality**

At its meeting on 27 March 2013 the Board of SFRS agreed 7 Equality Outcomes for the organisation.



The Equality Outcomes are:

1. People from all Scotland's community groups feel confident in contacting the Fire and Rescue Service for advice and information on relevant non-emergency issues
2. Disabled, LGBT, BME, older people and people from minority faiths are aware of the services provided by the SFRS, particularly how these can be adapted to meet their own needs
3. People from all Scotland's community groups are safe in their homes and on our roads
4. Establish the Scottish Fire and Rescue Service as an employer of choice for people across all equality characteristics
5. Provide a positive and healthy workplace culture which welcomes, embraces and develops people from across all equality characteristics
6. People from across all communities are enabled to live lives free from hate crime, harassment and domestic abuse/violence
7. Gypsy travellers and migrant workers are safer, better informed and confident in Scottish Fire and Rescue Service engagement

Work is currently underway to identify specific activities that will underpin each of the Equality Outcomes and support a mainstreamed approach to equality. There is a legal requirement to provide a progress report within two years of the setting of the equality outcomes, however, it is the intention of the SFRS to provide an annual progress report and reference this within the Mainstreaming Report.

## **9. Employment Information**

The Regulations require that a listed authority publish within the Mainstreaming Report the steps it has taken to gather and use employment information within the previous 12 month period across each of the protected characteristics as it relates to workforce, recruitment, retention and training where this information has not been published elsewhere.

As noted earlier in this report the SFRS has been in existence since 1 April 2013 which has an impact on the employment information available at the point of publication of this report. The 8 antecedent authorities had a legal obligation to

provide information relating to the 'due diligence' process of transferring basic employee details within very tight parameters of content and timescale. Each of the 8 antecedent authorities used somewhat different employment monitoring practices that could not be consolidated into a single staffing profile of employment practice by equality characteristic.

The SFRS, and the 8 antecedent fire and rescue services before it, collate and report workforce profile data to the Scottish Government. The Scottish Government publishes the results of this monitoring exercise in the *Statistical Bulletin: Crime and Justice Series - An Official Statistics Publication for Scotland - Fire and Rescue Services* and on their website. The most recent publication is dated 21 August 2012 and covers the year 2011-2012 and indicates:

- An overall workforce of 9,040
- 14% of the workforce is female
- 0.6% of the workforce identify as from a minority ethnic group
- 0.6% of the workforce disclosed a disability

Information for publication under 2012-13 is being collated by fire service and Scottish Government colleagues and will be published in due course.

The SFRS carried out a pay review and published an Equal Pay Statement in response to the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. The Statement is available on the SFRS website and includes information about the gender pay gap and occupational segregation. The gender pay gap is calculated to reflect the differences between average hourly rates of men and women. The closer this figure is to zero then the less likelihood of pay gap inequalities. The Statement indicates that at 6 March 2013:

- The gender pay gap for all employees is 11.53%
- The gender pay gap for Uniformed employees is 0.01%
- The gender pay gap for Support employees is 16.38%

Occupational segregation refers to the differences in the distribution of women and men across different occupational categories and job types. The Statement indicates that at 6 March 2013:

- 13.1% of all staff are female; 86.9% male
- 7 % of Uniformed employees are female; 93% male
- 56% of Support employees as female; 44% male

In the period to 30 April 2013 the SFRS has not appointed any new employees. The SFRS is currently processing a Transfer and Matching Scheme aligning existing fire and rescue personnel to the new Service. As part of this process some key equality data is being gathered. As this process is on-going the information is not currently available for publication at this time. Data about workforce profile, recruitment and appointments process and training will be available for future Mainstreaming Reports when the SFRS is in a position to provide meaningful data covering an extended period of time rather than the limited period of 1 to 30 April 2013.

To ensure that future employment data is recorded using a single standardised method an equality monitoring template has been developed to align with the 2011 census categories. This template is subject to consultation within the SFRS and will be available for use across all functional areas by the summer of 2013.

The SFRS has identified the need to consolidate employment monitoring practises making use of best practice examples for gathering and analysing data such as the recruitment and selection portal and the management of training applications and other employment practices.

The SFSR also recognises that work needs to be done to reassure employees about the employment monitoring process. A communications campaign will accompany the gathering of data to assure personnel that their data is secure, will be used for legitimate purposes only and explains the reason for gathering personal information. It is hoped that this approach to gathering information will encourage more employees to complete equality monitoring forms and disclose more information about themselves.

## **10. Further Mainstreaming Reports**

The Regulations require that a listed authority publish a Mainstreaming report every two years. The Board of the SFRS has committed to providing an annual Mainstreaming Report. The next Mainstreaming Report will be published by 30 April 2014.

**Further information can be obtained from the Equality and Diversity Manager, Elaine Gerrard, by email at [elaine.gerrard@firescotland.gov.uk](mailto:elaine.gerrard@firescotland.gov.uk) or by phone on 01698402230.**