

## EAST SUSSEX FIRE AND RESCUE SERVICE

<b>Meeting</b>	Scrutiny & Audit Panel
<b>Date</b>	23 July 2020
<b>Title of Report</b>	Outcome of the internal audit into Compliance with Disciplinary, Grievance, Harassment and Bullying procedures 2019/20
<b>By</b>	Mark O'Brien, Deputy Chief Fire Officer
<b>Lead Officer</b>	Hannah Scott-Youldon, Assistant Director People Services

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**Appendices** Appendix 1 – Internal Audit Report

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### Implications

<b>CORPORATE RISK</b>		<b>LEGAL</b>	
<b>ENVIRONMENTAL</b>		<b>POLICY</b>	
<b>FINANCIAL</b>		<b>POLITICAL</b>	
<b>HEALTH &amp; SAFETY</b>		<b>OTHER (please specify)</b>	
<b>HUMAN RESOURCES</b>	✓	<b>CORE BRIEF</b>	
<b>EQUALITY IMPACT ASSESSMENT</b>			

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**PURPOSE OF REPORT** To apprise the Scrutiny & Audit panel of the outcome of the internal audit undertaken into the Service's compliance with disciplinary, grievance, harassment and bullying procedures, which took place in 2019.

To share the improvement plan to provide assurances to the Fire Authority.

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**RECOMMENDATION** The Scrutiny & Audit panel is asked to:

- i. consider the report and take note of the outcome of 'partial assurance' of the internal audit undertaken in to the Service's compliance with its disciplinary, grievance, harassment and bullying procedures; and
- ii. to note the improvement plan and the measures already implemented which will be scrutinised with a follow up audit in 2020/21.

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## **1 INTRODUCTION**

1.1 East Sussex Fire and Rescue Service (ESFRS) has in place policies for managing issues relating to harassment, bullying, inappropriate behaviour, raising and managing grievances and undertaking disciplinary action.

1.2 Failure to establish robust HR policies based upon relevant employment legislation and to comply with these could increase the likelihood of inappropriate behaviour where policies are not in place, with ensuing claims and legal action against the Authority, as well as financial loss through fines imposed by employment tribunals.

1.3 This review was part of the agreed Internal Audit Plan for 2018/19 with a view to feed any learnings into the internal HR department as they are currently updating the policies and processes in this area as part of the broader HR Improvement journey.

1.4 The control objectives for the audit were as follows:

- HR Policies for managing grievances, disciplinary action, harassment and bullying are reviewed periodically to ensure they are compliant with legislation and codes of practice and are accessible to all staff.
- There is a process for capturing lessons learned from previous cases and, where appropriate, for updating relevant policies.
- The system for managing cases of disciplinary action, grievance, harassment and bullying is effective.
- HR policies for managing grievances, disciplinary action, harassment and bullying are complied with and this is monitored.

1.5 **Partial Assurance** has been provided in respect of compliance with Disciplinary, Grievance, Harassment and Bullying Procedures. This opinion means that there are weaknesses in the system of control and/or the level of non-compliance is such as to put the achievement of the system or service objectives at risk.

1.6 A follow-up audit will take place in 2020/21.

## **2 ACTION PLAN**

2.1 Page 6 onwards of the audit report (appendix 1) articulates an improvement plan and how the HR team are working to improve the policies and processes.

2.2 Much of the work outlined in the action plan has already commenced with policies and the processes (such as learnings from each case) having been reviewed and tightened but were awaiting any learning from this audit process so they could be incorporated before completing this piece of work.

- 2.3 Learnings and trend analysis from cases will now be shared with the Strategic HR Group on a quarterly basis to ensure there is scrutiny and continuous improvement to these processes, as well as early detection of any trends that may be occurring across the Organisation or a specific area of the business.

### **3 SURVEY OUTCOMES**

- 3.1 As part of the internal audit process, the opportunity was taken to seek some specific feedback from employees in relation to these policies and processes to understand what further improvements can be made.
- 3.2 In total there were 109 responses to the survey.
- 3.3 The responses are in keeping with both the ESFRS staff survey findings of 2018 and the HMICFRS findings in our 2019 inspection. However, what was reassuring was that the majority of those responding (62%) acknowledged that if they had felt that they had been bullied, harassed or subjected to inappropriate behaviour at work it was over 12 months ago.
- 3.4 The survey highlights three main themes that individuals felt they had been subjected to; they were: intimidation, unpleasant personal remarks and something else (which is not detailed within the outcomes of the report but internal audit have been asked to provide the detail).
- 3.5 The first two themes certainly replicate the findings of the HR case work both current and over the last 18 months. The HR department are currently seeing a rise in discipline cases relating to poor behaviour.
- 3.6 The launch of the Leadership & Behavioural Framework was originally due to take place on the 1 April 2020, however due to the pandemic it was decided that the launch would be pushed back until April 2021. Part of this will be for all staff to receive a session on a) the framework itself and b) behavioural expectations.
- 3.7 It is recognised that there is some work to do with our employees in and around the HR policies outlined in this report, particularly with managers in dealing with such issues at a very early stage and with staff being more comfortable to report such issues.