SWFRS CULTURE REVIEW REPORT

Table of Contents

1.   Introduction

1.   Our aspiration in this Review Report is to present a realistic picture of the South Wales Fire and Rescue Service ("SWFRS" or "the Service"), together with a practical set of recommendations for positive change. While no one can ignore the poor recent history of first responder services, it is also clear to us that understanding is developing within such services, and that there is a greater will to progress. We want to help the SWFRS build on that understanding and will, informed by the evidence and analysis in this Review Report. We particularly want the Service to build on the impact of our extensive programme of encouraging people to speak up, and really listening to them.

2.   We have listened to people across the Service, travelling to its furthest corners. We have been hugely impressed by the thoughtfulness, warmth, intelligence, pride, and commitment of the people we have met. These characteristics, combined with the fact that some useful steps are already being taken, provide the foundation for our optimism about the future of the SWFRS.

3.   Listening to people, and reading thousands of documents, we have learned of serious failings in the Service's policies, procedures, and systems, and real suffering on the part of those affected by the poor behaviour of others. We acknowledge, as the SWFRS must, that things have gone wrong, and that has had a negative impact on the Service's key asset – it's people. We are very grateful to everyone who has told us about their experiences; it is only by hearing from them, and reflecting upon it, that necessary change can be made. Now that people have started speaking up, we want them to carry on speaking up, and we want leaders to keep listening and become role models.

4.   However, while leaders are vital to making the changes needed, every single person in and around the Service has an important part to play. Everyone is part of an organisation's culture, and therefore everyone is needed to effect cultural change. The SWFRS could be a beacon in Wales, and in fire services across the UK, for its policies and procedures, and for its people and their behaviour. We urge them all to work towards that goal.

2. <u>Summary</u>

5. The Service has many positive aspects. They include:

   (1) a universal proud commitment to service of the community;

   (2) a usually warm and supportive watch culture;

   (3) an excellent internal occupational health service;

   (4) positive measures to support mental health and the neuro-diverse; and

   (5) the Chief Fire Officer's championing of the prevention of violence against women and girls.

6. However, there are also serious deficiencies in the Service. They include:

   (1) poor communications, systems, policies and procedures;

   (2) insufficient role modelling by leaders and managers;

   (3) a lack of transparency in recruitment and promotion procedures, meaning it is difficult to be certain that they are fair, and free from nepotism;

   (4) a lack of diversity;

   (5) the toleration of problematic behaviours, including: sexual harassment; negative assumptions about women; domestic abuse and physical aggression outside of work; the expression of negative views in relation to the protected characteristics of sex, race and/or religion; bullying; harmful 'banter'; drug and alcohol abuse; and improper interference with procedures;

   (6) misconduct, including criminal conduct, that has previously gone insufficiently addressed, to the detriment of the Service's culture;

   (7) a lack of encouragement and support for people to speak up, and insufficient action when they do;

   (8) inadequate training, resulting in the problems identified above;

   (9) self-interest, and a lack of respect for colleagues in all roles and ranks.

7. That is not to say that all members of the Service can be criticised for the abovementioned deficiencies. As described in the Introduction, we spoke to, and are aware of, members of the Service that act as good role models, and who should be thoroughly appreciated by the Service.

8.   We are encouraged by the steps the Service has already started to take to recognise and address its failings. These include:

(1)   the instigation of this Review;

(2)   a greater commitment to equality, diversity and inclusion ("EDI");

(3)   improving its Human Resources functions;

(4)   a more robust and consistent approach to disciplinary matters;

(5)   improving promotion processes to address some of the issues that have been identified.

9.   Such actions demonstrate that the Service is committed to improving its culture. However, it has much further to go. A detailed, phased, list of Recommendations appears at the end of this Report.

3.   Terms of Reference and Definitions

Terms of Reference

10.   In February 2023, Fenella Morris KC was appointed by an Independent Appointment Panel to carry out a review of the culture at the Service. Thereafter, she established the Culture Review team, consisting of two more Barristers, and Culture Experts at Walking the Talk.

11.   The Review considers existing policies, procedures, systems, customs, practices and behaviours at all levels of the Service, and how they impact on the Service's culture.

12.   The objectives of the Review are to:

(1)   assess the existing policies, procedures and systems relating to bullying, harassment, grievances, whistleblowing concerns, dignity at work, complaints and any other processes for raising complaints and concerns of behaviour and standards. Comparing these to best practice and identifying any actual or perceived barriers to reporting or making complaints about bullying or harassment, discrimination or other inappropriate behaviour and consider the ways in which these policies, procedures and systems are applied in practice and how that impacts on culture;

(2)   assess existing policies and procedures relating to discipline of staff, comparing them to national terms and conditions of employment and best practice. Consider the ways in which these policies, procedures and systems are applied in practice;

(3)   review, consider and report on how over the last seven years historic reports and complaints of incidents of bullying, harassment, whistleblowing concerns, and dignity at work complaints and any other relevant complaints and/or grievances were dealt with and responded to by the Service;

(4) review, consider and report on how historical staff disciplinary cases over the last seven years were dealt with by the Service, including consideration of whether there was any further action (positive or negative) in respect of the individuals complained of (for example, any further disciplinary cases against them, any patterns of behaviour and/or any promotions) and how that impacts on culture;

(5) establish whether the Service has appropriate prevention and other control measures in place to deal with any reasonably anticipated risks arising from bullying, harassment, discrimination or other inappropriate behaviour;

(6) assess the effectiveness of development programmes and training that support dignity, respect and prevention of bullying, harassment, discrimination or other inappropriate behaviour;

(7) assess the effectiveness of development programmes and training for managers in dealing with complaints of and/or disciplinary cases related to bullying, harassment, discrimination or other inappropriate behaviour;

(8) consider and comment on the values, behaviours, standards and decisions of leaders at all levels in the Service, both professional and personal (where relevant), and how they impact and/or influence culture;

(9) consider the impact of individual or group behaviour and standards of staff, both professional and personal (where relevant), and how this influences culture;

(10) consider and comment on the Service as a place of work with regard to ensuring the treatment of staff with dignity and respect and maintaining an open and supportive culture, and in particular establish whether the Service has appropriate support in place for staff experiencing and/or witnessing traumatising events and the impact those have on mental health, well-being and behaviour, and/or raising complaints of bullying, harassment, discrimination or other inappropriate behaviour;

(11)   identify within the Service areas of strength, examples of good practice and exemplar behaviours;

(12)   identify other relevant examples of best practice, guidance, policies and procedures;

(13)   consider for any other matters the Independent Chairperson considers are directly related to the purpose of this Review;

(14)   consider the difference in experiences of staff, including the impact of procedures, customs and practices, based on but not limited to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, any other difference including their occupational group and rank; and

(15)   make recommendations in the light of findings arising from the Review.

13.   We heard from a number of individuals that shared their direct experiences of engaging with the Service's policies and procedures in relation to matters that were personal and of great importance to them. We are very grateful for the time and effort they took to share those experiences with us to inform the Review. This Report does not seek to determine each and every one of those individual cases; rather, the purpose of our engagement is to consider the culture of the Service overall. Each of those individual cases has assisted us in our preparation of this Report and our Recommendations.

Definitions

14.   Throughout this Report, the following terms are used. We have given such terms their ordinary meaning, or used them as defined by legislation, but for the avoidance of doubt we have adopted the following definitions:

Culture	The ideas, customs, values and behaviour, both inside and outside of work, and the patterns of behaviour that are encouraged, discouraged or tolerated by people and systems over time. In the preface to the Terms of Reference, the Johnson and Scholes definition of culture is used, namely: *"The deeper level of basic assumptions and beliefs that are shared by members of an organisation, that operate unconsciously and define, in a basic fashion, an organisation's view of itself and its environment."*
Protected Characteristics	Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation (as defined in sections 3-12 of the Equality Act 2010).
Harassment (see section 26 of the Equality Act 2010)	Engaging in unwanted conduct related to a protected characteristic that has the purpose or effect of violating the recipient's or a bystander's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Notably, the individual does not need to have that protected characteristic for the conduct to amount to harassment; the conduct simply has to relate to any one or more of the protected characteristics.
Sexual harassment (see section 26 of the Equality Act 2010)	Engaging in unwanted conduct related to sex and/or of a sexual nature that has the purpose or effect of violating the recipient's or a bystander's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Includes treating someone less favourably than they would otherwise have been treated because they have rejected sexual advances and/or submitted to such conduct.
Boys' Club	A male-dominated culture where: men bond with other men keeping men in positions of power; actions or behaviours are to the detriment of women or minorities; and/or women or minorities are marginalised, excluded and/or subjected to discrimination and harassment.

Misogyny	Dislike of, or prejudice against women. Includes systems or environments that are patriarchal in nature and/or where women face hostility because they are women in a world created by and for men.
Nepotism	The practice among those with power or influence of favouring relatives, friends or associates, especially by giving them jobs, promotions or other advantages.
Bullying	Unwanted behaviour from a person or group that is either offensive, intimidating, malicious or insulting, or an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone. It may be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or calls, happen at work or in other work-related situations. Bullying may not always be obvious or noticed by others, and someone might not intend, know or realise that their behaviour is bullying, but it can still amount to bullying.
Inappropriate Behaviour	Words or actions that are intimidating, hostile, offensive, aggressive, humiliating, degrading, abusive or otherwise inconsistent with the organisation's values and/or policies, and/or that causes physical or emotional harm. Includes micro-managing and gaslighting.
Toxic workplace	A hostile or negative environment rife with mistrust, lack of respect, lack of transparency, poor communications, unfair treatment and/or inappropriate behaviour.

4.   Methodology

15.   The Culture Review team used mixed methods of evidence gathering to ensure that both qualitative and quantitative data was obtained. This allowed the Review to take a more nuanced approach by assessing a rich body of evidence. We did this through the following means:

(1)   inviting people to write to us through a secure private email address, and advertising the same in stations, in local newspapers and by letter to retired members of staff;

(2)   1:1 interviews, either in person or virtually via Microsoft Teams, allowing the individual to share their experience(s) of the Service;

(3)   station and department visits, to speak to people 'on the job' and get a feel for both the geographical, socio-economic and physical working environments;

(4)   an online survey that was emailed to 1,840 people and completed by 453 members of staff, providing for, approximately, a 25% response rate (which, in a service that is not primarily desk-based, is statistically representative);

(5)   five focus groups, four of which were from specific sectors of the Service and one of which was an open focus group, with all participants selected at random from volunteers in the Service;

(6)   desktop research and data gathering, consisting of terms and conditions of service, policies, procedures, disciplinary cases, grievances, complaints, and exit interviews; and

(7)   structured, question-based, interviews of current senior managers.

16.   We received over 900 emails from around 200 people. We held 150 interviews, 10 of which were reconvened, and 28 of which were in person at Blake Morgan's Offices in Cardiff, an independent location. Safety, trust and comfort were our priority. All

interviewees were given options with regards to confidentiality, so they could choose which information to share with us 'on the record'.

17. We also visited 11 stations, comprising both wholetime and on-call stations, namely: Tonypandy; Pontyclun; Ely; Malpas; Kenfig Hill; Aberbargoed; Ebbw Vale; Caerphilly; Aberdare; Merthyr Tydfil; and Pontypridd. In addition, we visited the Service's HQ in Llantrisant, the Occupational Health Unit at Pontyclun, Joint Fire Control, and Cardiff Gate Training Centre. During these visits we spoke to around 150 people at their place of work.

18. As above, the online survey attracted a 25% response rate with 453 responses. Walking the Talk held five focus groups over two days in September 2023 at Blake Morgan's offices in Cardiff. There were 45 participants in total split over the five focus groups. Whilst we reached out to cleaning personnel with the intent of holding a separate focus group specifically for them, there was no uptake of this offer, and, therefore, individual phone calls were offered instead for those interested in speaking with Walking the Talk. One cleaner took up the offer of a phone call, and related a very positive experience of the Service whereby the individual felt very respected.

19. In terms of the desktop research, we were provided access to thousands of pages of documents held by the Service, including in relation to the following:

(1)   81 policies and procedures (referred to hereinafter collectively as "policies");

(2)   around 186 disciplinaries or potential disciplinaries between May 2016 and the present;

(3)   60 grievances between January 2016 and January 2023;

(4)   185 complaints between April 2018 and July 2023;

(5)   60 exit interviews between 2016 and 2023;

(6)   reports made via the Crimestoppers FRS Speak Up line; and

(7)   the raw data from the 10,000 Volts Debriefing event conducted by the Hydra Foundation in July 2023.

20.   We took a considerable amount of time meticulously going through these documents to identify the standards and expectations set by the Service, the nature of the behaviour within the Service, the level of adherence to policies and procedures, any patterns that emerge, any good practices that exist, and any areas for improvement.

21.   It was immediately apparent when we commenced the Review, and a continuing theme throughout, that there was a real lack of trust throughout the Service and, accordingly, in the Review process more generally. Many people contacted us on personal email addresses and many people sought reassurances of confidentiality and, in some cases, anonymity. Whilst many people welcomed the Review as a necessary process, they expressed some scepticism; people questioned the independence of the Review, the ability to effect change and the seriousness with which the outcome would be met. Many people felt they had not been properly listened to previously, and that their views were not valued by the Service.

22.   We went to great lengths to emphasise the independence of the Review, and to ensure that participants had the space and freedom to participate in the way that they felt most comfortable. Our primary focus was to listen to the experiences shared and make sure people felt, and were, heard. We then took those experiences away to analyse how they reflect the wider culture of the Service.

23.   The benefit of the multi-methodological approach outlined above is that each method of data collection is of weight, with no one method outweighing another. It allows for a consideration of a multi-dimensional dataset which has enriched our overall analysis. What we have found is that the evidence obtained by each method has tended to reinforce that received by means of the others, with common themes emerging throughout, as set out below.

5.   Voices of the SWFRS

I take pride in my job.

When we've got a big incident, we can deliver.

There is a family feel to the organisation, and that has positives, and it also has negatives…

I've been included straight away, and I haven't been judged for being female and I haven't been judged for being gay.

I have been looked after especially during my two pregnancies and maternity leave. They also supported me when I have been coming back to work after having a baby.

My watch has been nothing but supportive, but the management team has not always been so great.

It's a man's world and it comes from the top.

No-one there stood up for me or had my back in any way.

I want a man to step up again and do it because they've all got wives and mothers and daughters...it shouldn't always fall to the person who is being victimised...to challenge it...it needs to be challenged by the people who are in the majority...

I'm too scared to speak up. And when I do, I'm not listened to.

Nothing good ever comes of putting in a grievance so we decided to keep quiet.

You'd have to murder your own mother to get sacked from this place...

I think everyone can learn from this and it can be really positive.

6.   The Context

24.   The SWFRS is located in a particular place, and a particular community. Both of these things are important, and were often referred to by those we spoke to during the Review as influencing the culture of the SWFRS.

a.   Geography

25.   The SWFRS covers an area of diverse geography. Parts of South Wales are difficult to access and sparsely populated. However, the majority of the population live nearer to the coast, and there are two big urban centres – Cardiff and Newport, with populations of more than 360,000 and almost 160,000 respectively. The SWFRS therefore has to meet the varied needs of these different groups of people. This involves the development of a range of skills, from dealing with road traffic collisions ("RTCs") on the motorway, to wildfires in the mountains, and water rescue on the coast. It also affects the structure of the SWFRS in that it can only meet the needs of all the remote areas by maintaining a substantial number of retained personnel. This immediately adds a layer of complexity to the culture within the Service as a two-tier system of employment, which is reflected in the Walking the Talk survey results at Appendix 3.

b.   Local economy

26.   The economy of South Wales has its challenges. Historically, the decline in mining has produced significantly deprived communities in the former mining areas. South Wales as a whole has lower wages and household income than the rest of Wales, and the UK as a whole. There are significant pockets where the rate of employment is lower than the rest of Wales and the UK. While levels of employment are improving in the area, wages are relatively declining. As a result, a job in the SWFRS is particularly valuable: it is a relatively well-paid, secure job with a good pension, and high community status.

c.   Society

27.   The Welsh Government has a <u>Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) Strategy</u> which includes the following:

> *"… VAWDASV does not happen in a vacuum it has roots in cultures and attitudes that run across our society. Perpetrators are emboldened and abuse is normalised by the environments in which they live … our aim [is] … to undermine the environment in which domestic abuse takes place and to de-normalise sexual harassment and violence, and the behaviours which enable it, in all parts of our society …*
>
> *…*
>
> *We will [in relation to workplace harassment] … put survivors at the centre, challenge and support perpetrators to change and create zero tolerance environments."*

28.   The population of South Wales is less ethnically diverse than that of the rest of the UK, but there are substantial communities of people from ethnic minorities in the urban centres.

29.   The Welsh Government has an <u>Anti-Racist Wales Plan</u> which includes the following:

> *"Ethnic minority people spoke to us about the difficulties of challenging racist behaviour … Many felt that a lack of transparency over complaints about racism and discrimination was feeding a racist culture in some public services …*
>
> *Anti-racism is about changing the systems, policies and processes which for so long have embedded a negative view of ethnic minority people … Often it is the systems for progression, and for selecting who will be mentored, coached or sponsored, that fail people …*
>
> *…*
>
> *We know that 'culture eats strategy for breakfast'. By that we mean if we don't make significant changes to the way we do things now, within our organisations, then this Plan will not succeed. It will need significant culture change within … all public … organisations to do things differently."*

d.   Fire services in the UK

30.   In recent times, fire services across the UK have been scrutinised and criticised for their cultural failings.

31.   Earlier this year, His Majesty's Inspectorate of Constabulary and Fire and Rescue Services ("HMI") published a report on Values and culture in fire and rescue services in England. We endorse the whole of that report and its recommendations. Key extracts from that report that are particularly relevant to this Review, since they identify the same issues that we found in the SWFRS and make recommendations which we also make. They are set out at Appendix 1. They include reference to:

(1)   culture being heavily influenced by the behaviour of individuals, including those in positions of responsibility;

(2)   the importance of the promotion of EDI in the workplace, including positive action, and proper training in this respect (not just e-learning). Firefighters are the least ethnically diverse workforce and services must focus on making sure workplaces are inclusive, not just recruitment, as a way of improving diversity;

(3)   making sure services are a psychologically safe place to work, including offering secure ways for staff to raise concerns and give feedback without fear of repercussion, and in the knowledge that concerns will be robustly investigated and appropriate outcomes/sanctions put in place. Fire services need honest staff feedback to ensure serious issues do not go unnoticed and potentially get worse;

(4)   it being right that higher standards are demanded in public services; they cannot hide behind an argument that poor behaviour simply mirrors that in wider society;

(5)   there being no room in fire services for someone who behaves inappropriately, or perpetuates toxic cultures. Fire services need effective systems to identify these individuals and, if necessary, dismiss them;

(6) services with visible leaders that consult with staff, and are open to challenge, that have good training, and clear systems and procedures in place, have fewer issues;

(7) perceptions of nepotism, and promotion processes being unfair;

(8) the fact that all staff should be treated fairly and with respect, and given the same opportunities, regardless of their role or rank.

32. Seeking to improve culture in the fire services of England, the HMI devised and published a Code of Ethics. We endorse that Code.

e. Statutory framework

33. There is an overarching legal and policy framework ("the framework") which established, and governs, the Service, details of which can be found in Appendix 2.

34. The framework ultimately defines the Service's functions, and, therefore, what firefighters are required to do in practical terms on a day-to-day basis. It enshrines the importance of, for example, education and training. It also sets the governance and oversight structures which supervise the SWFRS.

35. The framework provides the foundation for the standards which must be met when the Service's functions are being carried out. For example, primary legislation specifically directs that fire authorities consider the need to improve the exercise of its functions in terms of "*fairness*". Moreover, the Wales Fire and Rescue National Framework prescribes key priorities and objectives for fire and rescue authorities in connection with the discharge of their functions. Its objectives include ensuring that an authority's employment practices universally support staff who disclose domestic abuse, by acting to keep staff safe at work and supporting them to stay safe outside work.

36. The legal and policy framework therefore grounds several key themes of this Report.

7. The structure of the SWFRS

a. Executive leadership and senior management

37. The SWFRS is headed by its Chief Fire Officer ("CFO").

38. Together with the CFO, the ELT team ("ELT") comprises: Director of Service Delivery; Director of People Services; Director of Corporate Services; Director of Technical Services; and Treasurer. Each of these Directors heads a Directorate or Directorates.

39. Each Directorate has as a team of managers who report to their respective Directors. These managers comprise area, and then group, managers on the uniformed side, and specialist managers on the corporate/non-uniformed side.

b. Organogram
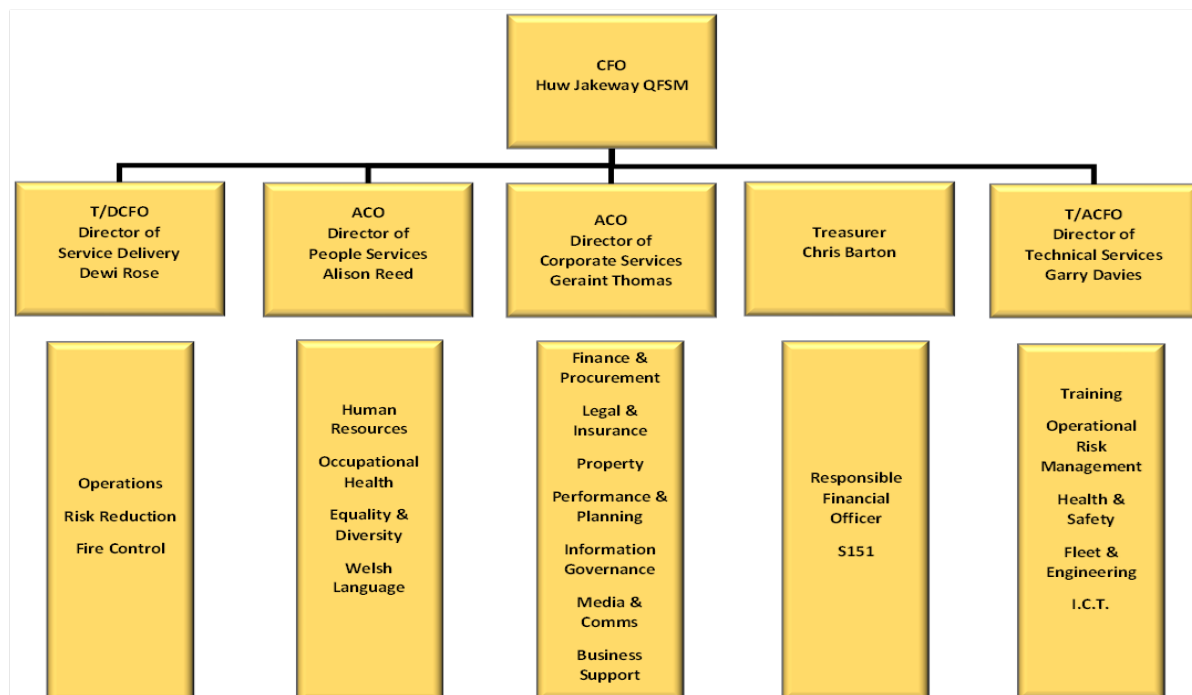
c. Operational and corporate staff

40. The SWFRS characterises the roles of its staff as divided between two broad areas: operational and corporate. The majority are on the operational side.

41.   Operational staff comprise firefighters and others working facing the public. They are largely based in fire stations, Joint Fire Control and the Training Centre.

42.   Corporate members of staff work in service delivery roles but are not operational firefighters. They include those working in roles such as finance, ICT, Human Resources ("HR"), communications and procurement. They are almost entirely based in the HQ.

43.   There are some corporate staff who also have an operational role as, for example, retained firefighters.

44.   Different national terms and conditions exist for different categories of staff within the SWFRS. Brigade Managers (previously known as principal fire officers) are governed by the 'Gold Book' conditions of service. Other uniformed members of staff are governed by the 'Grey Book' conditions of service. Non-uniformed members of staff are governed by the 'Green Book' conditions of service. This can lead to complexities and tensions within the SWFRS given that different categories of worker are subject to different terms and conditions.

d.   Firefighters: wholetime, retained and auxiliary

45.   There are more than 1200 operational firefighters, almost half of whom are retained or on-call firefighters. A significant number of wholetime firefighters are also retained.

46.   There are 11 fire stations that are wholetime only. Each station will usually have four watches. The hierarchy on the station is as follows: station manager, watch manager, crew manager and firefighter.

47.   There are 27 fire stations staffed entirely by retained firefighters, and nine fire stations which are staffed by wholetime and retained firefighters.

48.   The SWFRS has a particular need for retained firefighters because of local geography, and the need to provide cover to remote and sparsely populated areas. Retained firefighters are engaged on the basis that they are available on call up to 105 hours per

week close to the fire station at which they are retained. Many retained firefighters are experienced and knowledgeable as a result of their long service, or similar work in other settings. Some retained firefighters join the SWFRS with the intent of becoming wholetime firefighters, and some, but not all, make the change. The SWFRS is not currently able to recruit and retain sufficient retained firefighters to provide the cover that the SWFRS seeks to provide.

49. The need for retained as well as wholetime firefighters creates a division between members of the Service which has repercussions for its culture.

50. Both wholetime and retained firefighters often have another form of paid employment. This employment must be disclosed to and approved by the Service.

e.   Joint Fire Control

51. More than 40 people employed by the SWFRS work in Joint Fire Control. They have an operational role.

52. They work in the Joint Public Service Centre at South Wales Police HQ, alongside those employed in control roles with an adjacent Fire and Rescue Service, and those employed by the police. The purpose of grouping these staff together is the promotion of a co-ordinated response by the emergency services, as well as the sharing of skills, knowledge, and operational intelligence.

f.   Training centre

53. There is purpose-built Training Centre, at which a mix of operational and corporate staff are based. It provides both initial and specific training, including that necessary for promotion, and the acquisition of advanced or specialist skills. As the place where new firefighters first spend several weeks being trained and inducted into the Service the training staff have a very significant role in communicating and establishing the culture of the SWFRS.

g.   Human Resources

54.   The People Services Directorate covers the HR department, which comprises: Recruitment and Resourcing; Learning and Development (which includes Equality, Diversity and Inclusion); Welsh Language; Employee Relations (including the Resolutions Unit); Payroll and Pensions; Attendance Management; and Occupational Health. The majority of the HR department sits in HQ, with the Occupational Health Unit being based at Pontyclun.

55.   Whilst the Service uses CoreHR for data management and basic HR processes, there does not appear to be a centralised document management system in place.

h.   Occupational health

56.   The SWFRS has its own occupational health service. It has its own clinicians – a primary doctor, sessional doctors, nurses, counsellors, physiotherapist - and a contracted psychotherapist service. Occupational health staff work alongside the fitness staff in their own building. The occupational health service provides services that supplement that which the SWFRS staff might be entitled to from the NHS or secure privately to address their health needs arising from their work.

i.   Governance

57.   The Service is governed by the South Wales Fire and Rescue Authority ("the Authority"), as set out in the Statutory Framework. It comprises councillors from the constituent local authorities. The Authority, in turn, is the responsibility of the Welsh Ministers; they set priorities, may guide the Authority, and require reports from the Authority. The Welsh Ministers should report on the extent to which an Authority is complying with their priorities and guidance. The Chief Fire and Rescue Advisor and Inspector for Wales is the independent advisor for and reports to the Welsh Government.

8. Composition of the SWFRS workforce

58.   As described at para.44 above, the SWFRS is made up of operational ("Grey Book") and corporate ("Green Book") staff. There are also senior managers ("Gold Book" staff).

59.   According to statistics provided to us by the Service, as at 31 March 2023 there were 1220 Grey Book staff (76.5%), consisting of Control, wholetime firefighters and retained firefighters, and 375 Green Book staff (23.5%), consisting of all corporate staff including apprentices, sessional workers and young firefighters.

60.   Of the Grey Book staff, just 97 out of 1220 employees (8%) are female, with 1123 employees (92%) being male. On the corporate side, there are 179 female members (47.7%) and 196 male members (52.3%) of Green Book staff.

61.   We also note that the most densely populated age brackets within the Service are between the ages of 35-54. There is a sharp decline in numbers of operational staff over the age of 54.

62.   We understand that all staff are encouraged to provide their diversity data upon their initial appointment and at regular intervals, but there are a lot of non-responses/'prefer not to say' responses. Whilst it is difficult to obtain an accurate picture of diversity data with regards to other protected characteristics due to the number of non-responses or 'prefer not to say' responses, we note that:

(1)   only 17 members of staff across the Service identified as being part of an ethnic minority group;

(2)   only 5 members of staff across the Service identified as being non-British (with 623 identifying as British, 424 as Welsh, 57 as English, and 4 as Scottish);

(3)   only 12 members of staff across the Service identified as being gay, lesbian, bisexual or of another sexual orientation;

(4)   only 9 members of staff across the Service identified as having a disability;

(5)   we do not have statistics with regards to religion or belief, gender reassignment, or marriage and civil partnership status.

63.   We also note that, on a smaller sub-set of the Service that answered the Walking the Talk online survey, the numbers in respect of each of these areas, except from race, almost doubled. Also, in relation to the online survey, 71% of respondents said they did not consider themselves to be part of an under-represented group, and 7% (32 people) ticked the box for 'prefer not to say'.

64.   This difference in numbers between the Service's diversity statistics and those derived from the online survey may be explained by a desire for privacy in relation to one's employer, a lack of trust in the Service's handling of such data, and/or apathy towards the importance of such data.

65.   The low number of people from under-represented groups is detrimental to the Service's culture overall. A lack of diversity within the workforce leads to a lack of understanding and respect for people from different backgrounds. People are limited by their own experiences, and may fail to recognise an issue or something that has the potential to cause offence if they have not experienced other perspectives and/or have not been trained to be open to considering them. A diverse and inclusive workforce, that values people's differences and voices, is a more richly informed workforce, as it allows for a wider range of experiences, views, and perspectives to be taken into account. This, in turn, leads to a more respectful and positive workplace culture, as well as more comprehensive problem-solving and decision-making.[1] In addition, it promotes a sense of belonging, understanding and loyalty across the group.

66.   The low number of people from under-represented groups also means the Service is inhibited in carrying out meaningful equality impact assessments as it cannot fully understand how its policies might impact on certain groups. This in turn limits effective

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[1] For the impact of diverse teams on performance, see, for example, https://hbr.org/2016/11/why-diverse-teams-are-smarter and https://www.mckinsey.com/~/media/mckinsey/featured%20insights/diversity%20and%20inclusion/diversity%20wins%20how%20inclusion%20matters/diversity-wins-how-inclusion-matters-vf.pdf

analysis and the implementation of EDI initiatives, with the result that they can descend into tick-box exercises without sufficient substantive impact on EDI.

9.   Cultures and Behaviours

a.   Leadership

67.   Leadership is of great significance to organisational culture. In the SWFRS the leadership and its impact on its culture presents a mixed picture, with positives and negatives.

68.   First of all, the executive leaders are aware of the importance of a positive Service culture. The CFO has shown decisive commitment to culture change by commissioning this Review.

69.   Looking more broadly, the leadership, like the Service as a whole, operates in a hierarchical way: power originates at the top; and a person's role determines how much power they have. There are frequent references in the Service to someone's position, for example, by tapping an epaulette on which rank would be indicated. The implication of this gesture is that position in the organisation confers power, and requires deference from those with lower positions.

70.   This aspect of the Service's culture appears to be one reason why people find it hard to speak up: we observed that people in the Service have an ingrained sense that you cannot challenge someone who is above you in the hierarchy, and, if you do, you will be punished, usually by being prevented from progressing up the hierarchy yourself. This is also demonstrated by the results of the Walking the Talk survey, which can be found at Appendix 3. Although 56% of survey respondents said their direct manager encourages them to speak up, one third of people said in the last 12 months "*I have avoided speaking up about an issue or concern, even though I thought it was important*", and the most common reason was the fear of damaging career prospects. Also, the top image selected in the focus groups to represent the culture was the 'three wise monkeys', representing a lack of speaking up or challenging seniors, and 91% of comments in the focus groups about speaking up were negative. Whatever the origins of this sense of the hierarchy in the Service, the leadership need to take active steps to

change people's perceptions so that people feel able to speak up and challenge those above them in the hierarchy, and not fear punishment if they do.

71.   A second aspect of the hierarchical structure of the Service is that rank takes precedence over expertise or experience. This has led to a tendency to assume that someone who has been promoted to a particular rank does not need training in management, and a failure to appreciate and respect the knowledge and skills of members of staff who are not uniformed. We heard a lot about uniformed officers being parachuted into corporate managerial roles, above those with the appropriate experience and expertise to carry out the role. This was often largely for career progression reasons and, as a result, there is a high turnover in these roles. This demonstrates a lack of due respect for experienced non-uniformed staff. It often means they are being managed by someone of a completely different mindset, with no background in their area, and no investment in developing them, as they are likely to move on to another role in relatively short order. This is frustrating for staff, and has a detrimental impact on morale.

72.   Like other organisations of this type, direction of activity emanates from the top: we were told that often the reason given by senior and middle managers to junior staff for a particular policy will be "*because the Chief wants it*". We appreciate that when managing an incident such as a fire or life-threatening emergency, this command and control way of working may be best. However, the majority of the work done by the Service involves other things such as education, community engagement, and training, as well as the work of its corporate staff. In those areas the need for a command and control structure is not as strong, and there are therefore real opportunities for different ways of working. These opportunities should be seized, different ways of working should be developed, and greater respect and deference should be afforded to non-operational staff given their experience and expertise. We would hope that this would help to improve the culture so as to allow initiatives to arise from different parts of the organisation, and promote greater freedom to speak up.

73.   While the leaders have a great deal of power and control in the Service, they do, particularly in the case of the CFO, use their position to promote and develop positive aspects of the Service's culture or to initiate new thinking. For example, seeking White Ribbon accreditation, the Safe Haven policy, and foregrounding mental health and neurodiversity issues. However, we formed the impression that there was often a lack of practical follow through on these efforts. This might be because there are too many of these projects, with insufficient focus on one thing at a time. Or it might be because there is a failure properly to communicate and consult with all members of the Service, listen to their responses, and bring them into and along with a change, particularly before a change is implemented. For example, many of these initiatives were not mentioned by participants in the focus groups, which tends to suggest that they are not embedded in the consciousness of the members of the Service.

74.   We found a lot of scepticism in the Service about whether a particular initiative, including this Review, will result in genuine change; indeed, only 37% of the respondents to the Walking the Talk survey agree or strongly agree that there will be action as a result of this Review. This sits alongside scepticism in the Service about the motives for and impact of such initiatives. For example, some people we spoke to referred to the use of social media by the leadership to announce and promote an initiative, and say that the leadership was interested in "*likes over lives*". There was also lots of reference to "*tick box*" exercises. We think that the leadership does good work in identifying, initiating and promoting positive changes for the Service's culture. To make these changes effective, it needs to work harder at building support across the organisation, and the practical detail of implementation, <u>before</u> implementing a new initiative. Real, interactive, responsive communication between the leadership and the other members of the Service needs to be a priority, and social media is not a substitute.

75.   The ELT is not diverse: five out of six of them are white, middle-aged males; there is one white female; whilst there was, until 2022, another non-uniformed female, she was effectively replaced by a uniformed male; whilst there are two external recruits in the ELT, the majority of the current members of the ELT are uniformed males that have

spent most of their working lives in the fire and rescue services in the area; two of them are currently temporarily promoted. Each of the uniformed members has reached his position having worked his way up through the Service. Two of them have done this alongside one another from the same recruits' course. There are benefits to this state of affairs. For example, the executive leaders have a good understanding of the local community, and knowledge of life as a firefighter there. They have pride in the Service, and commitment to its work. In some senses they are familiar and well-known to the staff of the Service, and are seen as part of the Service "family".

76.   On the other hand, however, there are real problems associated with the lack of diversity of characteristics, training and life experience in the ELT. Many of them have a clear recollection of how fire service culture used to be in the past, with all the vices of first responder organisations of the 80s. The executive leaders are inclined to refer to how much better the culture of the Service is now, and we got the sense that their appreciation of the positive changes so far may inhibit them from sufficiently critically analysing how much the Service still needs to improve. We also got the impression that, because of the lack of diversity of characteristics, training and experiences, there was something of a mono-culture at this level of the Service, which is not to its benefit. Furthermore, our sense was that someone coming into the ELT from outside and seeking to challenge the culture might be overborne, particularly if they are a woman. Going forward we are of the view that greater consideration to recruitment at executive and senior levels from outside the Service, or of those who are not uniformed, would help to address this issue. This step would have positive implications for the culture of the Service as a whole. Alongside these changes in recruitment, the provision of more explicit management training and external mentoring (from mentors that have had greater exposure to cultural diversity) for those at this level would also help to broaden the outlook of the leadership team, and improve its effectiveness.

77.   Another consequence of the personal characteristics of those in the ELT is a perception amongst staff that, since many of the executive leaders have worked together in the Service for a long time, their personal loyalty to each other affects the decisions that they take. For example, it was suggested that one member of the ELT might seek to

protect or fail to challenge another because of their personal connection. This sort of perception is reinforced by the fact that two of the ELT were temporarily promoted into their roles and have remained there for almost a year. We write more about the problems caused by temporary promotion at paras.245-250 below, but this is a good example of how temporary promotion contributes to a sense of nepotism and lack of fairness in the organisation. Whether or not any of these perceptions are accurate, and the ELT tells us that they are not, they tend to undermine trust and confidence in the leadership, and require to be addressed. If future recruitment is from a more diverse base as we suggest, we would expect this problem naturally to reduce.

78. The executive leaders do actively seek to connect and communicate directly with firefighters, for example, by principal officer visits. They told us how important they thought this was, and, for those that have previously been firefighters, felt that they were in a good position to do it because of their own experiences in the Service. However, there is a disjunction between the perceptions of leaders and firefighters in relation to what communication there is and how well it works. Firefighters feel that they are not listened to, and gave examples of issues that they had raised where they had not received what they felt to be a considered response, particularly if it involved a leader going back to check on something and responding to the firefighter later. Firefighters also felt that the executive leaders, although some of them had been firefighters, had lost touch with the reality of their day-to-day lives. This gap between the practical day-to-day reality of the working lives of the executive leaders, fire fighters and those at Joint Fire Control, was visible to us when we visited the HQ, and then the stations and Joint Fire Control. At HQ the executive leaders' offices are spacious and well-appointed, and the executive leaders have lots of personal space in which to work. By contrast, the stations are older, less well-appointed, and those working there have much less personal space. Joint Fire Control is an even more uncomfortable, densely-populated, and consequently stressful, working environment (which we address further at paras.138-144 below).

79. The executive leaders have almost always been very co-operative and engaged with the Review, and show awareness of the importance of a positive culture. However, we

noticed that there were no instances of the executive leaders directly challenging problematic behaviours themselves. One of the executive leaders gave us to understand that on one occasion he had noticed an inappropriate behaviour, but realised too late what the problem was, and that it should be challenged. The survey and focus groups found that there was generally insufficient role modelling by managers, and that only a minority set the right tone as to how to behave respectfully. This limitation of the executive leaders may well be an aspect of that. It is not enough to talk in the abstract about cultural change without personal practical action.

80.   We learned of another example of a failure on the part of a member of the ELT to provide a positive role model in order to make culture change happen. An executive leader participated in a Service training event with an EDI element while our Review was underway. This individual demonstrated, or did not challenge on the part of those in his group, a flippant attitude to EDI and culture change. Such behaviour is undermining of the project of culture change. If a leader shows that they are not taking culture change seriously, then why should anyone they lead? This problem is intensified in an organisation as hierarchical as the Service.

81.   More generally, we noticed that the Service did not do well at identifying trends in problem behaviours and then taking Service-wide steps to address them, even if there were difficulties in addressing them at the individual level. For example, a picture has emerged over time in the Service of men sending sexually harassing messages to women. Sometimes victims of this behaviour have been reluctant to raise grievances or support the taking of disciplinary action, and, in some instances, they have resorted to leaving the Service instead. There has been no follow-up action by the Service.   This is not acceptable. An organisation committed to promoting a positive culture, should take pro-active steps to address this type of behaviour across the Service. Here, the Service could have raised awareness of the problem, reinforced awareness of the Service's standards and policies, encouraged other victims to speak up and offered support. The failure to do this might have arisen because of patchy communication between senior leaders and executive leaders, but that demonstrates that

communication on these issues needs to improve so that executive leaders can and do lead on culture issues by standard-setting and support-provision.

82. This instance of patchy communication is not isolated. We write more about communication in the Service at paras.308-322 below. In relation to the leadership, we found an inconsistent picture of communication between the CFO and the other executive leaders, and the executive leaders and the senior leaders. First, there seems to be a tendency on the part of some unilaterally to filter the information that reaches the CFO, especially anything that is negative, in order to create an impression that it is *"all rosy in the garden"*, a phrase we heard a number of times throughout the Review. While the CFO does not need to know everything, there should be an explicit agreement about what he should be told, both positive and negative, and a system for that being communicated to him reliably. Second, we formed the impression that there was a significant amount of informal or un-minuted decision-making at the level of executive and senior leadership. We were told about people being asked about significant issues *"hypothetically"*, and important conversations taking place in corridors. This sort of behaviour tends to undermine a sense of trust and fairness in the organisation. Furthermore, the fact that all Heads of Service sit together in one room is detrimental in this respect, as well as creating a division between them and their teams. Whilst there are now three female Heads of Service out of eight sitting in this room, it has been and remains predominantly male.

83. There also then seems to be a gulf of communication between middle management and the senior management team ("SMT") in both directions, meaning many issues do not get adequately relayed through station managers and creating blockages. Improved communications and cross-sectional discussions need to take place to prevent these blockages.

84. Another area where the executive leaders' behaviour is inconsistent relates to discipline. On the one hand the Service has a rigid, hierarchical, command and control structure, but on the other hand there is a tolerance of boundary-breaking, even by the leaders. A small example is one executive leader who is regularly late to meetings.

Such behaviour is disrespectful and sends the wrong message about behavioural standards. Another example, which we heard a lot about during the Review, is of senior leaders taking a ski trip to Italy when Covid was established there, but shortly before Wales locked down (albeit we have not been provided with the exact date of the trip). Those involved appear not to appreciate the need for leaders in a public service body, at a time of building national crisis, to prioritise their commitment to their role over their own interest, and also seemingly failed to appreciate the impact of such behaviour on the wider Service, and the requisite trust and confidence in the leadership team. Yet another example is the toleration of the keeping of a static caravan in the car park of a fire station, and it being used by leaders when they are involved in sporting activities nearby. We were told that this arrangement was not challenged because it had existed for so long. This is not a good reason for toleration of a breach of a boundary.

85. One of the most serious examples of inconsistency in standards and discipline we found relates to the approach taken by members of the ELT to the use of Instagram and OnlyFans by at least one member of the Service. We write more about this issue at paras.170-175below. It is particularly relevant to the issue of leadership in the following ways. First, it seems to us that executive leaders with more professional training in EDI, standard-setting and management would have handled this situation better. Second, the approach taken evinces the leadership's disproportionate focus on the perceived benefits of the use of social media, rather than what people, particularly women, in the Service and the community feel, and, importantly, told them that they feel. Third, it exemplified a tendency to make decisions about culture and discipline in an informal, unstructured way, based on their personal impressions, rather than rigorous and inclusive processes. Finally, in seeking to defend their approach to the posting of inappropriate images on social media, the leaders' references to there being *"nothing she wouldn't let her father see"* is, we find, evidence of a patriarchal mentality at the top, which impacts the overall culture of the Service (on which see, for example, paras.157-159 and 333 below).

86.   The term 'Boys' Club' was often used by those we spoke to during the Review. In our view, a Boys' Club exists within the Service, especially at the top; there is certainly a strong perception of the same throughout the Service. A predominantly male ELT and SMT, coupled with the behaviours we have described in this section of the Report, tends to support such a view. We found, for example: a lack of transparency surrounding decision making; nepotism; patriarchal attitudes; the toleration of the objectification and sexual harassment of women; and overbearing behaviours towards women. We experienced some of these behaviours ourselves during the Review, which supports our view. See also paras.145-163 below. Whilst the influx of more female managers will help to correct the position, the mindsets and behaviours of the male members of staff also need to change in order to reach genuine equality within the Service.

87.   Many people we spoke to blamed the ELT for the Service's cultural failings. They said that nothing would change unless they were all sacked. This suggests a current lack of trust and confidence in members of the ELT, some more than others, which it will take significant work to restore.

88.   There are many positives in the leadership of the Service, as well as much more work to do. Some of that work is already underway, which we discuss below. This demonstrates to us that there is active reflection on failings, and commitment to change. We are hopeful that the leadership will act on our recommendations.

b.   Middle Management and Corporate Culture

Overview

89.   The corporate staff primarily work at the SWFRS HQ in Llantrisant. Although corporate staff are dispersed across distinct departments, such as ICT, HR, communications and procurement, we have heard that there is generally a strong sense of being part of the Service's mission to serve the local community.

90.   As with front line operational firefighters, we have been impressed by the dedication, passion and commitment of the members of corporate staff. Many members of staff have worked for the SWFRS for long periods of time, if not their entire careers.

91.   Overall, we have been presented with a mixed picture on corporate culture. We have been encouraged by some describing the corporate culture as being familial and supportive. There are corporate departments which largely function well.

92.   However, there are several overarching aspects of the corporate culture which are having an adverse impact on the day-to-day experience on many of those working at the SWFRS HQ, and in turn on the functioning of the Service.

Middle management: Corporate v operational divide

93.   Middle management consists of a mix of corporate Green Book, and operational Grey Book staff. There is a stark divide.

94.   Corporate Green Book middle managers have generally progressed up through their particular department. By contrast, operational Grey Book staff in middle management roles within corporate departments appear to us to be parachuted into a department, often without any or any sufficient experience of it. The deployment has the appearance of being primarily of instrumental value to the manager in respect of their promotion track, rather than for the purpose of ensuring effective management. There is also an asymmetry in that corporate managers are not tasked with managing uniform staff.

95.   The result is that operational staff are required to manage staff in a department often without sufficient expertise of the area of work of that department. Often, that lack of expertise is accompanied by a lack of experience in management. The command and control nature of station management within watches does not translate naturally into a corporate environment. Generally, there is little or no training given to operational managers as to how to manage in a corporate environment. We have heard of

operational managers behaving *"harshly"* towards corporate staff, and lacking in soft skills. We have also heard of aggressive and bullying conduct.

96. There is a high turnover of operational middle managers. For example, we heard of an individual within a corporate team having eight different line managers in four years. Operational line managers are often deployed for relatively short periods of time, without adequate time or support to get to grips with the nature of the work of the department, or the management of the staff. They are not given the best possible opportunity to make a success of their role within the corporate department.

97. The deployment of operational staff in middle manager roles also necessarily reduces the scope of opportunity for corporate staff to be promoted into those roles. The lack of opportunities for promotion is a factor affecting retention of staff, and more broadly, morale.

98. A further corollary of the middle management composition is that there is a general perceived inability to challenge upwards. Equally, we have heard that, as a result of a divide between senior and middle leadership, individual middle managers who behave inappropriately are not consistently held to account.

99. It is important to be clear that these issues are not entirely universal. We stress that there are clearly some very effective, empathetic, and supportive operational managers within corporate departments. However, they do not appear to predominate.

100. Overall, as a member of corporate staff summarised, *"they lack an empathy for what it's like to be non-uniform and you … do get individual uniform managers who make an effort but because they're all kind of looking for the next promotion there's no sense of permanence and there's no sort of long term planning that seems to happen."*

101. On the whole, the deployment of operational staff in middle management corporate roles is not currently effective. It is problematic for both the operational managers, as

well as the corporate staff that they are tasked with managing. We have heard that there is a lack of consistency, care and understanding.

102. We have, by contrast, heard that in departments where middle management is drawn from specialists with expertise in the relevant area of work there is a *"completely different environment"* which is *"really positive"* in which *"everybody [works] really well"*.

Morale

103. Low morale is prevalent across the corporate team. Several longstanding members of staff have described it as being at an all-time low. There appears to be a high rate of sickness leave, and a high rate of referrals to occupational health for mental health concerns. We have also heard of numerous members of staff, dissatisfied with their current experience of work, seeking alternative employment. Several factors appear to be adversely impacting morale.

104. First, we have heard that many corporate departments are under significant pressure. Individuals are facing high workloads, without adequate support being in place from management, in a high stress environment. This is exacerbated by the fact that a number of departments have vacancies, both permanent and temporary, which are not being filled promptly, and there appears to be a laissez-faire approach leading to slow recruitment being tolerated.

105. Second, the Job Evaluation conducted in 2019 also had a marked impact on morale. There is a general perception that the process was not transparent or fair, and a common lack of understanding as to why certain roles were downgraded. The stress of the experience of going through the job evaluations has continued to reverberate.

106. Third, there is a lack of recognition of the positive work done by individuals and departments. There is inadequate communication raising awareness of achievements amongst the wider service. As one person put it, *"Well, why would I go that extra mile*

when it's not even seen or recognised in any way?" The result is that many members of staff feel that their efforts are underappreciated.

107. Overall, there is a marked sense that corporate culture is tainted by a common feeling of being undervalued. When coupled with the current blame culture which exists within the Service (which is addressed at para.163 below), this is a toxic combination.

Working from home

108. There is no formal 'working from home' policy. Whether or not an individual member of corporate staff is entitled to work at home is entirely a matter of line manager discretion. Whilst there are roles that cannot realistically be carried out from home, the lack of a clear policy in this respect has led to perceived inconsistent treatment across the organisation. It is an issue that has been frequently raised with us by corporate staff, and it is clearly having a material impact on morale.

109. There is a lack of clarity around how a manager's discretion to permit working from home will be exercised, and a lack of transparency as to why certain people can work from home and others cannot. The desire for flexibility has trumped the need for clarity and transparency, and fails to account for the importance of ensuring that decisions surrounding work practices are perceived to be taken fairly.

110. Many members of staff are frustrated by the perceived inconsistency and unfairness, and feel a lack of trust and support.

c. Watch Culture

Overview

111. Watch culture is at the core of the culture of the frontline fire service. For most operational wholetime and retained firefighters, the culture of the watch fundamentally informs their experience of work on a day-to-day basis. Watch culture is therefore critical to what life on station is like.

112. A 'watch' is a functional organisational structure. It is a relatively small team of around eight operational firefighters on average, designed for responding to service calls. When called out, a watch must work effectively together to deal with the emergency that requires their help. A watch spends a significant period of time in close quarters on station; working, eating and, because of the shift pattern, sleeping. It is a unique working environment.

113. Every watch is different, and each watch will have its own distinct dynamic. We have heard that there are 'good' watches and 'bad' watches. The 'bad' watches develop reputations amongst operational firefighters as being environments to avoid. Whilst appreciating the differences in culture across watches, and the patchwork picture of watches across the Service, we consider that general themes have emerged in respect of watch culture.

114. When working well, a watch can foster mutual trust, support and reliance. It can be a harmonious and highly effective team, as well as a close-knit family-like unit. However, there is a danger that the boundaries between professional and personal life become blurred and standards of what is appropriate workplace behaviour become compromised.

115. The tendency of groupthink in such close-knit environments is also detrimental to culture. The desire on the part of individuals within a watch to fit in and conform means that poor behaviours often go unchallenged, with people setting aside their own personal beliefs or values in order to adopt those of the more dominant members of the group and keep the peace. People that do not fit in or conform, or those that call out inappropriate behaviours, become ostracised and the watch becomes dysfunctional. When a watch is dysfunctional, it can result in a dynamic of abuse, fear, and conflict.

116. This dynamic is exacerbated by the nature of the organisational structure of a watch. A watch is relatively isolated. As such, when working poorly, a watch can risk becoming an island in which inappropriate behaviours become easily embedded. Within a watch,

behaviour can become difficult to challenge and change as a result of the abovementioned factors.

The watch as family

117. There are significant positive aspects to watch culture. A watch can form powerful familial bonds. We have heard that many watches are largely supportive and inclusive teams.

118. It was evident from our visits to stations that many watches generally share close professional and personal relationships, based on mutual respect. The common warmth and respect between watch members on station was often obvious to us. We frequently heard watches being referred to as "*family*". Watches also often have a thriving social side, both on and off station.

119. We have been encouraged by the many specific positive experiences of watch culture that have been related to us. For example, during a firefighter's bereavement, their watch provided significant emotional and practical support, including preparing and delivering meals to them. The firefighter explained to us that they considered that their mental health would have been in a "*completely different place had I not been on that watch at that time".* We also heard of other similar instances of watches supporting members who were experiencing difficult personal circumstances.

'Dark humour'

120. We have almost universally heard that an important part of watch culture is the provision of mutual support following difficult incidents attended by the watch. A feature of that support is commonly referred to as "*dark humour*". It appears that, to a degree, gallows humour is employed as an effective coping mechanism to deal with grim and extraordinary circumstances. We are conscious that, for a considerable number of the frontline firefighters we have spoken to, humour is a helpful way of dealing with trauma and we would not want this to end.

121. However, we have also heard that "*dark humour*" can degrade into, or be employed as a screen for, offensive and inappropriate comments, exhibiting sexism and homophobia (for example). The 'pack' mentality of a watch often means that offensive comments go unchecked. Whilst we have been encouraged to hear of several occasions when a firefighter has challenged a fellow member of their watch in respect of a sexist comment, for example, it is generally the case that inappropriate and offensive 'humour' is not called out. As one firefighter observed to us, when nobody calls out such conduct "*culture breeds*".

122. The problem is compounded by the use of WhatsApp groups and social media. We have heard that whilst WhatsApp groups are often used unproblematically, some extremely offensive comments and grossly inappropriate material have been shared in WhatsApp groups. These include, for example, sexually explicit images, images of graphic violence, and sexist comments. We address the use of WhatsApp at paras.165-168 below.

Treatment of female firefighters on watches

123. As observed at para.60 above, only 8% of the Grey Book, or operational staff, are female. As such, many watches are exclusively or predominantly male. We have seen some of the Service's recruitment campaigns, and understand that the Service has tried to increase the number of females in recruitment exercises, for example by way of focussed "Fire Fit" sessions and targeted advertising. We also understand that 21 females were recruited from the 93 successful candidates at the last wholetime firefighter recruitment campaign in 2021/2022. However, more needs to be done to ensure inclusivity for females from within the Service.

124. Watches can be a difficult workplace in which to be female. Whilst we have heard encouraging positive experiences of inclusive and supportive behaviour, the difficulties that females face are still in existence.

125. Female firefighters are often treated differently on watches. There remains a perception amongst some male firefighters that women are not as physically able as men, and therefore less suited to being firefighters.

126. Similarly, we have also heard that members openly complain about the SWFRS recruitment diversity efforts to increase the number of female firefighters, on the basis that it constitutes unfair discrimination against men. There is also a misplaced perception that females have an "*easier ride*".

127. These attitudes have been openly touted on stations; indeed, they have been expressed sincerely to members of the Culture Review team. They inevitably adversely inform the way that women are treated on such watches.

128. We have also heard that self-described "*banter*" within watches can involve sexist comments. There is a general tolerance and even facilitation of negative attitudes towards females. As one firefighter put it to us, "*it just snowballs. You have one comment around the mess table and the others agree with it, and it's a great laugh then whether you're sat there or you're not.*"

129. We have also heard of sexualised comments being made on station, objectifying the female members of a watch as well as members of the public.

130. Watch culture can therefore be challenging for female firefighters. As one firefighter explained to us, "*it's a difficult [work]place to be a woman…Every day you would be subjected to something, whether it be like just a little snide remark…it's definitely still hard for females. Some people will accept it and some people it will eat up.*"

131. We have heard, though, that a female joining an exclusively male watch can significantly change that watch's dynamic for the better. We are encouraged that, over time, some male firefighters do come to appreciate what is and what is not appropriate behaviour at work. However, that process is presently too slow, and inconsistent across watches.

132. Finally, we have been encouraged to hear of some positive experiences of female firefighters on watches. For example, we heard a number of examples of female firefighters having been supported by their male watch colleagues in more recent years, especially during times of personal difficulty. The watch can therefore facilitate an empathetic and open environment, but work needs to be done to ensure that the much-loved "*banter*" stays on the right side of the line.

Lack of inclusivity and inappropriate conduct

133. We have heard that there is a lack of understanding amongst some firefighters as to why making comments that offend other people present is problematic if the offensive comments are not directly made to them. This reveals a very basic understanding and narrow definition of offence, namely that it can only be determined by the person directly engaged in the conversation, and not by others who observe and overhear. As we explain in the definition of harassment and sexual harassment at section 3 above and at paras.189(4)(e), 194 and 349 below, this is not a correct understanding and demonstrates that current training is ineffective. The importance of ensuring an inclusive environment in which all members of the watch can feel respected, safe, and secure is not universally appreciated, and, in some instances, disregarded entirely.

134. We have heard of a significant number of instances of bullying within watches. For example, we have been informed of incidents involving demeaning names being written on lockers, and food and toothbrushes being tampered with. Obviously, such conduct is deeply concerning, especially when it is repeated conduct of a bullying nature towards particular individuals.

135. There appear to be two broad categories of circumstances which adversely affect a watch's culture. First, we have heard of situations where the majority of a watch behave badly towards an individual within the watch. Whether due to a perceived 'lack of fit' or otherwise, we have heard of individuals being made to feel unwelcome and disrespected within the watch environment. We have also heard of individuals being ostracised by their watch when they have called out misconduct or poor behaviours.

136. Secondly, we have also been told about circumstances in which the conduct of a single individual within the watch can make it a hostile environment. For example, we were told by one firefighter of another individual who exhibited homophobic views and made offensive comments. Such behaviour is likely to mean that people do not feel comfortable disclosing their sexual orientation at work. The individual in that instance plainly felt sufficiently free to express such homophobic views without any fear of reprisal.

137. There appears to be a general perception that a watch is, or at least should be, a self-policing environment in which unacceptable behaviour is called out and acted upon internally, by other members of the watch. As we noted above, however, effective watch self-regulation does not appear to be as widespread a practice as it is perceived to be. Instead, we consider that, alongside appropriate messaging and training, the disciplinary process should be employed consistently to ensure that there is zero tolerance of unacceptable behaviour.

d. Culture at Joint Fire Control

138. The members of the Service who work at Joint Fire Control include some of those who are most unhappy. They feel overlooked, underappreciated, and isolated. Most of them are women; this is unique on the operational side of the Service, which is otherwise mostly men. The treatment by the Service of those who work at Joint Fire Control may be connected with the fact that they are mostly women.

139. Those who work at Joint Fire Control are highly skilled and knowledgeable. They are able to co-ordinate complex and fast-moving situations. They are required to co-operate effectively with a range of other bodies, including the police and ambulance service. They are a lynchpin of the Service. However, they do not feel that they are seen or treated like that.

140. First, Joint Fire Control itself is isolated from the rest of the Service, for example, far from HQ. Second, Joint Fire Control staff are situated as a small group within a much larger group of police call handlers, in a police facility.

141.	Next, there are tensions between Joint Fire Control staff and the police call handlers because of their different working practices and terms and conditions. Joint Fire Control staff do not always feel respected by those alongside whom they work. We heard of bullying of Joint Fire Control staff. When we visited Joint Fire Control we could see how much less comfortable their working conditions were than either operational or corporate staff. In the focus groups, their firefighter colleagues expressed surprise upon hearing the reality of day-to-day life at Joint Fire Control, of which they were previously unaware.

142.	Also, Joint Fire Control staff sometimes feel as though they have been forgotten by the Service. At least one of them has been temporarily promoted for seven years. We heard that Joint Fire Control staff have raised complaints. Each time a new manager is appointed they are tasked with addressing their concerns. However, upon realising that it is a much bigger and more political problem than they anticipated, managers appear to have struggled to follow through. Accordingly, the issues have remained unaddressed and morale is low, although there do seem to be signs of it improving.

143.	Joint Fire Control staff seem to suffer from not being seen as operational, although that is what they are, or as corporate staff. Their unique role has tended to lead to their being excluded rather than valued by their colleagues in the Service. They feel that their lack of value is reflected in how they are paid compared with other operational members of the Service.

144.	Whilst the Service may have tried to improve its treatment of, connection with, and morale of those who work at Joint Fire Control, it needs to do more given the structural problems with their position which we describe.

**e.	Informal Networks**

145.	There are strong informal bonds between members of the Service. These are reinforced and take effect in a range of ways, sometimes positively and sometimes negatively.

146. Not surprisingly given the physical nature of the operational side of the role, there are many sporting connections between members of the Service. Traditionally, these connections have been in rugby and golf. Unfortunately, rugby is associated - although there is no necessary connection between the sport and the behaviour - with drunken, assaultive, and sexually inappropriate behaviour. This sort of behaviour has featured in what we have heard in interviews and read about in the disciplinary documents in a number of ways: in connection with domestic violence; male-on-male violence; and the circulation of revenge pornography on social media. There have been suggestions that some of this behaviour is not dealt with as it should be because of an indulgent attitude to those who play rugby, or an acceptance of rugby 'culture'. If this is the case, it is wrong and must stop. As we note at paras.178-179 below, the good behaviour of a member of the Service outside the workplace is important, and standards must be upheld in order to maintain public trust and confidence in the Service. Even if there is tolerance of such behaviour amongst the rugby community, or even the community at large, that tolerance should not be imported into the workplace, especially not one that provides a public service.

147. More recently, a culture of cycling and open water swimming has developed, particularly supported by the CFO; for example, the Chief's Peloton ride for charity. The significance of the ride is demonstrated by the CFO's display in his office of a cycling shirt produced for one of the rides. The positives of these sporting cultures are their freedom from association with alcohol, violence, and sexually inappropriate behaviour, and their emphasis on general fitness, the outdoors, and camaraderie across the organisation between the operational and corporate sides. We endorse all of these goals and their value to the Service. We understand that the Chief's Peloton is open invitation, and includes female and corporate members of staff. We would, however, like to see more assertive efforts at facilitating the involvement of women and other minorities who work within the Service in these projects, to improve the impact of these activities further. Some of the activities may require modification since, for example, a mother of young children may not have the time available for participation in a long charity bike ride.

148. We did hear a great deal of suspicion about whether involvement in sports patronised by the CFO, and other executive leaders, had an unfair and disproportionate effect on promotion prospects. We also heard in this respect about the "*Ski Masons*", a term used within the Service to refer to a number of senior leaders that go skiing together. We also heard about this to a lesser extent in relation to rugby and golf. Although the CFO and executive leaders reassured us that participation in these activities did not affect decisions about promotion, the perception may have had the opportunity to develop because of a lack of good communication and transparency about how promotion works in the Service. We write more about this in the section of the Report concerning promotion at paras.225-250 below.

149. We heard some concerns about whether being a Freemason still has an effect on promotion decisions. Whilst there is a lot of speculation within the Service about those who are or might be Freemasons, with at least one person telling us that they have seen a book containing the names of Freemasons within the Service, nobody has confirmed that they are, in fact, a Freemason, and we have not been able to confirm such membership either. The Grey Book at section 2, para.9 states:

> "*Fire and rescue authorities should introduce a voluntary register of employees' interests that invites employees to declare membership of any organisation that is not open to the public without formal membership and commitment of allegiance, and which has secrecy about rules or membership or conduct.*"

It seems to us that the simplest way to deal with any lingering concerns about this is for the Service to go even further than this and make it a mandatory requirement for any such memberships or associations to be declared.

150. Members of the Service are quite often also members of the same family. Since these relationships are usually intergenerational, there is a real risk of nepotism. There is certainly a perception of nepotism amongst members of the Service, and we do have our own concerns about it. There was evidence of one family member in a senior position intervening in dealings between another family member in a junior position and their manager. We were also told about inconsistency in treatment by senior

members of junior members, where one of those junior members of the Service was related to the senior one. One individual told us:

> "There's so many officers with daughters and sons in this job now it's unbelievable. We've got sons and daughters who are getting promoted left, right and centre. Again, nepotism is so spoken about when you go on station. It's unbelievable."

151. We were particularly concerned that proper boundaries were not maintained in disciplinary processes where they intersected with family or informal relationships. We heard and read about in the documents: an instance where one family member was involved in the investigation of an incident involving his son; and an instance where someone who had a rugby connection with the subject of the disciplinary was nevertheless permitted to sit on the disciplinary panel. The Service needs to improve the rigour of its disciplinary processes, as we set out in paras.267-294 below.

152. Whilst the Service has a "Personal Relationships in the Workplace" Policy, which includes relatives, close personal relationships (whether partner or not), friendships and co-habitants (whether of an intimate nature or not), as well as business, political, commercials and financial relationships, we very much doubt that such relationships are always declared, and understand that the Service does not keep records of such relationships in any event, so the policy is of little practical utility. We encourage the Service to take better steps at policing such relationships to ensure that they do not overstep appropriate professional boundaries, and that there is no favouritism shown or special treatment afforded as a result.

f.   Assault, Bullying and Harassment, Discrimination and Other Inappropriate Behaviours

153. We find that inappropriate behaviours exist within the Service from the top down. The actions, influence, decisions and behaviours of leaders set the tone for an organisation's culture and send a message to employees about what is and what is not acceptable. The behaviour of leaders spreads and infects the behaviour of others. The lack of openness and transparency in the Service contributes to an impression of a

culture of self-interest and/or self-preservation. This message of 'each man for himself', produces behaviours whereby people will step on others to get where they want to be, or secure the decision they want, without taking account of others. This, of course, is not true of all leaders and/or all members of the Service, but it was a running theme throughout our Review.

154. The hierarchical power structure that we see within the Service allows people to use their position to control and/or bully others. We heard constant reference to the "*chain of command*" and, as explained at para.69 above, to managers tapping their epaulette to signify their rank and put people in their place. This is a form of bullying.

155. A distinctive process of which we heard was the use of the P12, which, in theory, is a formal interview record, but, in practice, appears to be used as a disciplinary tool, and worse. We address this more fully at paras.269 below. For present purposes, however, it is worth noting that these forms are sometimes used effectively to bully people. Whilst we have not seen all P12s, we have seen some of them in the documents. We saw an example of a P12 being used to 'tell off' an individual, within which he was told not to question the manager's integrity (when he had only commented that something from a previous meeting had not been noted correctly) and told, in no uncertain terms, *"the chain of command is in place for a reason"*. Whilst this is an example, we have no doubt that it is not an isolated incident.

156. We heard of managers shouting at people, condescending comments or conduct, and making demands without any room for question or healthy debate. This is inappropriate and is a form of bullying. This type of approach sends a message to other managers that they can treat their subordinates in a similar fashion.

157. We also find that the existence of outdated mindsets amongst some leaders and managers enables the existence of a sexist and misogynist culture in many places in the Service. We heard and saw examples of inappropriate comments made to and/or about women and/or about the way they look or dress. For example, we heard that a man had, we quote, *"started talking about her as if she was someone to just be*

sexualised someone. Oh, I would give her one". One employee also said: *"In a group of senior leaders someone said "are you pinning the tail on that about her? (meaning are you having sex with that person). No one had said that was inappropriate. But it was like quite high level people. And they should be leading by example to say, that's not okay."*

158. We also heard about and saw examples of: the objectification of women; inappropriate messaging on social media or instant messaging, often in circumstances of a power imbalance (for example, from managers to junior employees, and instructors to new recruits); pictures of genitals being sent to women; inappropriate advances made towards women, and inappropriate conduct following rejection; questioning, in relation to an inappropriate comment or conduct, whether women were *"going to put that in their little [black] book"*, as if to suggest that the women are out to get the men; challenging whether women were in fact fit to carry out the job; one (now retired) male firefighter at Cardiff Central refusing to speak to, or acknowledge women; inappropriate silencing of women, so as to put them in their place; inappropriate and stereotypical questions about child-rearing and/or childcare; and questioning the promotion aspirations of women. Sadly, this list is not exhaustive.

159. These behaviours are demoralising for women and fail to recognise the important contributions that women can make to the Service. More junior female firefighters tend to want to fit in as *"one of the boys"* (a phrase that was used by female firefighters during our Review), or do not want to rock the boat by challenging such behaviour. More senior females have become hardened to sexist behaviours, and do not always even recognise them as discrimination or problematic.   These behaviours are problematic; they mean that the Service is not an inclusive place to work. We also found other examples of discrimination in respect of other protected characteristics, which we address in Section 12 below.

160. This outdated mindset is also demonstrated by the behaviours that are prevalent in the Service which we saw in our document review. We were struck by the number of cases of assault, domestic abuse, and harassment we saw within the documents. There may

be many more examples of which we are not aware. The mistreatment of others, but particularly women, is a serious problem area for the Service, and it is not currently being adequately addressed.

161. Social media content is also another area that requires attention, with posts demonstrating a disregard for the thoughts and feelings of others, a general lack of respect, and disregard for equality, diversity and inclusion.

162. Drug and/or alcohol abuse is also a current problem area for the Service, which is not being adequately addressed. Regular random drug and alcohol testing would go some way in addressing this issue, as well as potentially improving behavioural problems outside of work (much of which appears to stem from intoxicated nights out).

163. We also heard of a blame culture within the Service, and heard examples of victim-blaming and shaming, especially following the instigation of the Culture Review. This is the most toxic form of bullying. Lack of accountability and/or deflecting attention fails to recognise that fundamental problems exist and prevents self-reflection, which, in turn, means those problems remain unaddressed.

g.   Social Media: WhatsApp, X (formerly known as Twitter), Instagram and OnlyFans

164. Social media is a big part of contemporary life, and the SWFRS has embraced it. While there are good reasons to use social media to promote the Service, connect with the community, encourage recruitment, and build connections within the Service, there are also serious risks associated with its use.

165. First, as is sadly the position in many workplaces, members of the Service have used their WhatsApp group to share discriminatory and/or other inappropriate material. This seems to be less frequent in the Service now. However, the Service has hindered itself in applying what should have been zero tolerance to such misconduct, by its uncertainty as to whether WhatsApp messages shared outside the workplace may be the subject of disciplinary action. A public service organisation such as the SWFRS should have zero tolerance for the sharing of discriminatory and/or other

inappropriate material by its members at any time. If a member of the Service is sharing such material it reveals a serious defect in their attitude, which must change if they are to continue properly to serve the public. The issue of the sharing in a private group of such material has recently been considered by Mr Justice Fordham in the High Court in the case of *Lambert-Simpson v Health and Care Professions Council* [2023] EWHC 481, and he said this:

> *Suppose someone in a private group of social workers thinks it will make other social workers laugh, to "use" disability, with a "combination" of a "blatantly" discriminatory "slur" and a "highly derogatory remark" about people with a disability. Suppose someone in a private group of police officers thinks it will make other police officers laugh, to "use" gender identity, with a "combination" of a "blatantly" discriminatory "slur" and a "highly derogatory remark" about people with a gender identity. No person with the disability, or gender identity, was ever supposed to hear what was said. The rest of the group were supposed to laugh. It was supposed to be funny. In my judgment, it is appropriate and important that a regulatory supervisory authority should be able to see in this a serious "attitudinal" problem. There is a hostility in this behaviour. There is a hostility in the state of mind of the person communicating. Attitudes matter. The relevant hostility can thrive in attempted 'humour', as it can in 'ridicule'. The 'private' context may be relevantly – indeed may be especially – revealing.*

166.   The Service must make clear to all its members that their behaviour outside the Service is as important as their behaviour during work hours. This is the standard that is set across the public services. To tolerate anything less will make the SWFRS an outlier.

167.   Second, the use of WhatsApp, and other messaging services, has featured in the disciplinary documents we have read and what we have heard. There are men in all parts of the Service who message women in the Service inappropriately, often to initiate a sexual relationship. Frequently the men who send the messages occupy a position in the hierarchy above the women who receive them. Women who politely decline these advances have told us that they are sometimes pursued further, while others may be frozen out by the rebuffed man. Obviously, this is damaging to the lives of the women, and the culture of the workplace.

168. We heard that women subject to this harassment are often reluctant to initiate a grievance or support a disciplinary process because they expect the process to have a negative impact on them and their position in the workplace. They said to us that they just wanted the harassment to stop. Some women leave the Service, raising the issue only in an exit interview. We understand that the wishes of those who have suffered harassment may make it more difficult for the Service to initiate a disciplinary process, but it should prompt it to take a pro-active approach to the issue. The Service should begin a campaign to make it clear across the Service that such messaging is unacceptable, that it should be reported, and that it will be disciplined.

169. Third, the CFO uses X to promote the Service, usually effectively. However, on occasion, his use has been ill-advised. For example, the day after a firefighter had ended his own life, the CFO sent out an email advising members of the Service of the firefighter's death. Later that evening, the CFO posted on X an image of a gin bottle and full glass with the hashtag "*GinFriday*", as well as his attendance at a rugby match that weekend. Whilst we appreciate that this may have been a by-product of the compartmentalising of work and personal life, without appreciating the impact that such posts have on the Service when they appear side-by-side on social media, this is problematic. The CFO of the Service identifies himself on X as such. In such circumstances, the post by him was insensitive to the loss suffered by the family and colleagues of the member of the Service. It was also inappropriate to send a message promoting alcohol at such a time, given its use as a dysfunctional coping strategy.

170. Fourth, and most seriously, the Service tolerates the use of Instagram and OnlyFans by its firefighters to post sexualised images of themselves alongside images that make clear their membership of the Service. Some of these sexualised images show the member of the Service partially dressed in their uniform. The Service's response to this misconduct has been confused, and damaging to trust and confidence within and outside the Service.

171. It should be obvious that it is wrong for members of a public service to portray themselves, where they make clear that they are members of such a service, as sex

objects. Such conduct reduces public respect for and confidence in the Service. It is also likely to reduce recruitment from members of the public; they could be alienated by such an image of the Service, or fear that they will be perceived in such a way if they join, or wrongly believe that is a reflection of life in the Service. Crucially, such conduct reduces the respect that members of the Service have for each other as professionals.

172. It is our understanding that other public services such as the police appreciate the risks associated with permitting such sexualised images of their members, and have forbidden them. The SWFRS should take the same approach.

173. The Service received complaints from women members about such sexualised posting by other members, but it failed to heed them. One female firefighter told us:

> *"I wanted to complain … that she's all over everything, doing everything wrong and somehow she gets a pass for everything. So I wanted to complain about that. Then I was more or less put back in my box. But also I then raised it later because I was asked by a guy on my station whether I have an OnlyFans account. So I tried to complain about it in the first instance because I wanted her held to account…"*

174. The Service's toleration of the posting of boundary-breaking material led to the member concerned posting even more problematic material. We saw a post by a firefighter (whose posting of sexualised images the Service had tolerated - see para.170 above), which included a racial slur and aggressive criticism of the police. It is our view that if a correct approach had been taken by the Service to the boundary-breaking material in the first place, then the later problems could have been prevented.

175. The Service's social media policy is not fit for purpose, and it needs a new one, informed by current standards for those working in the service of the public.

10. Standard Setting and training re: assault, bullying harassment, discrimination and other inappropriate behaviours

a.   The Importance of Standard Setting

176.   The unfortunate reality is that inappropriate behaviours, including bullying, harassment, and discrimination, exist throughout society and no workplace is immune to them. Isolated examples of such conduct do not represent a culture problem within the organisation, provided that standards and expectations are clear, and effective systems and procedures are in place to address those issues when they arise. Sadly, we find that this is not the case at the Service.

177.   During the Review, we heard people say that the composition of the Service in terms of diversity, and the behaviours or conduct seen within the Service, are reflective of the local area more generally. Whether or not this is correct, higher standards are expected, and should be demanded, of those who serve the public, such as those working for the SWFRS, especially where public safety, trust and confidence is paramount. Furthermore, the Service, as a public body, has a responsibility to set an example to wider society and help improve the position.

178.   The behaviour of the SWFRS personnel outside of work is just as important as their conduct inside work and/or during work time. While this is true of all firefighters, it is all the more important in South Wales because of the close-knit communities in and around stations, especially rural stations, and the public profile that the SWFRS employees hold – to work for the SWFRS is akin to being a local celebrity. Accordingly, the behaviour of the SWFRS personnel outside of work reflects upon the reputation of the Service profoundly.   Assault, bullying, harassment, discrimination, or other inappropriate behaviour outside of work is just as detrimental to the Service as similar behaviours during work time. It can also act to discourage people from joining the Service, especially those from under-represented groups – for example, sexist or racist behaviour outside of work, including the objectification of women or opinions on immigration, may discourage women or those from particular racial or religious

backgrounds from joining the Service. This will perpetuate the Service's issues with regards to diversity.

179. Accordingly, it is vitally important that the Service has a clear set of standards and expectations that are robustly enforced, so that personnel understand the framework within which the Service expects them to behave, both inside and outside of work, and are fully aware that poor behaviours will not be tolerated. A zero-tolerance approach to bullying, harassment, discrimination and other inappropriate behaviours ought not to be just writing on a page or words on a wall. It needs to be what every single member of the Service, at all levels, signs up to and practises on a daily basis. If members of the Service cannot abide by such an approach, then they ought not to be members of the Service.

b.   Standards and Expectations

180. The Service has a policy on Standards and Expectations (OP-02.51), which sets out the Service's Ethical Principles and Core Values.

181. The Service's Ethical Principles derive from the Core Code of Ethics for the Fire and Rescue Services (England) published on 18 May 2021, which was developed jointly by the National Fire Chiefs Council (NFCC), the Local Government Association (LGA) and the Association of Police and Crime (APCC) Commissioners ("the Core Code"). It sets out five ethical principles, which are expressed to provide the basis for promoting good behaviour and challenging inappropriate behaviour. They are said to be based on the Seven Principles for Public Life, known as the Nolan principles,[2] but tailored to suit the fire and rescue service's context. The five ethical principles are:

(1)   Putting Communities First

(2)   Integrity (including being open, honest and consistent)

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[2] The Seven Principles of Public Life (also known as the Nolan Principles) apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the Civil Service. They are: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

(3)   Dignity and Respect

(4)   Leadership

(5)   Equality, Diversity and Inclusion ("EDI").

182.   The Service's Core Values are:

(1)   Professional

(2)   Trustworthy

(3)   Disciplined

(4)   Resilient

(5)   Caring

(6)   Dynamic

(7)   Dedicated

(8)   Respectful

183.   Whilst these values and principles are clearly set out in the policy on Standards and Expectations, there are a lot of them to remember and the policy is, unfortunately, buried at number 51 within the "Our People" policies. Furthermore, there is no explanation of what these core values mean, nor what they stand for. Whilst the values are displayed in stations, they are not particularly prominent and have almost faded into the woodwork – they are currently just words on a wall. Other than new starter inductions, it is not clear that any training takes place with regards to the Service's values and/or the Core Code of Ethics (or indeed any of the Service's policies prior to or upon introduction). Notably, neither the ethical principles, nor the Service's Core Values, were brought up by any of the focus group participants, which suggests that they are not front of mind or strongly reflective of the actual culture at the Service.

184.   We are also struck that "respect" is the last on the list of Core Values, and "accountability" does not appear at all. Indeed, only just over half of the respondents to the Walking the Talk survey agreed that everyone in the Service is treated with

respect. In addition, values such as "resilient" and "dynamic" may be double-edged, and potentially problematic.

185. Furthermore, as described throughout this Report, it appears that these principles and values are not always applied by members of the Service, at all levels, in any event, which suggests this policy has not provided an effective system of standard setting. For example, there is a general lack of openness, transparency, integrity, and respect across the Service. There is also an unwillingness to challenge poor behaviours where they exist.

186. The Service's policy on Standards and Expectations also fails to make it clear that such standards in behaviour are expected both inside and outside of work, which is vital for a public body such as the SWFRS for the reasons set out above. The policy, instead, has a leaning towards implementing those principles and values in one's work, but is not explicit with regards to one's personal life, and how behaviour outside of work may impact upon the Service. This is also borne out in practice, as there appears to be a pattern whereby the Service shows more leniency towards misconduct outside of work and/or within one's personal life. We discuss this more fully at paras.280-289 below.

187. The Service would benefit from a more streamlined and modern set of values that properly encapsulate the culture it wishes to promote, such as: **Professional, Respectful, Caring and Accountable**. Furthermore, the Service's Standards and Expectations policy would benefit from including a clear set of non-exhaustive disciplinary rules to demonstrate the types of behaviour that will not be tolerated within the Service in order to provide practical examples of expectations that people can relate to, and reinforce the values it contains. Whilst there are (a wordy and convoluted set of) examples of Misconduct and Gross Misconduct (or Serious Misconduct) in Appendix 1 of the Discipline Procedure, examples of inappropriate behaviour need to be prominent and clear for all members of the Service. The policy should also make it clear that it applies to behaviour both inside and outside of work, with no exceptions.

c.   Policies

188.   The rest of the Service's policies are too many, too long and too out of date. The Service currently has 81 policies, 41 of which are in the "Our People" section. Some of the most senior managers could not even tell us what those policies were, so other members of staff cannot be expected to know either. Having such a big library of policies makes them inaccessible to the majority of staff, and dilutes the purpose of the policies, namely to set out clear standards and expectations, and provide systems for monitoring adherence to them. It also creates the impression that the policies are just there to tick a box, and that the Service is trying to hide behind the policies to manage the culture, rather than manage it effectively through the behaviour of and standards set by managers and leaders. The lack of training in respect of the policies (on which see paras.192-200 below) also corroborates this impression. Furthermore, a number of the policies were long passed their Review date, provided points of contact that no longer work for the Service, included references and/or content that were technically incorrect and included links that did not work.

189.   A non-exhaustive list of the key issues we observed in relation to the Service's policies on bullying and harassment, dignity at work, grievances, whistleblowing, complaints and disciplinaries, in addition to the above, are as follows:

(1)   Whilst we have not analysed the review dates in depth ourselves, the Fire Brigades Union ("FBU"), having conducted a review of the policies, informed us that over 60% of the policies were out of date, by, on average, three years.

(2)   We note that, one of the first things that is said in each policy (usually around para. 3.1 or 3.2, or earlier) is that any breaches of the procedure may lead to disciplinary action and serious breaches of the procedure may constitute gross misconduct and lead to dismissal. It is not clear how this is appropriate or relevant for many of the policies in which it is included, especially policies concerning the raising of complaints/concerns and/or the Employee Wellbeing policy for example. Even where it is considered to be relevant, the Service should

consider the positioning of such wording in the policy so as not to put people off utilising it.

(3)   The Equality and Diversity Statement:

(a)   has not been reviewed since April 2018, which suggests a lack of commitment to Equality and Diversity;

(b)   could be clearer with regards to: managers setting the standard and leading by example; the training conducted by the Service; the different forms of discrimination; how the policy applies to the different aspects of work, as well as outside of work; the relevance of equality data; and the different EDI networks within the Service that people can turn to for support and guidance.

(4)   The Dignity at Work Policy:

(a)   is buried away at number 22 of the "Our People" policies. It was last reviewed in December 2016, which, again, does not send the message that it is important to the Service and it is committed to ensuring dignity at work;

(b)   is, effectively, a bullying and harassment policy, so it would be better for the Service to make that clear in the title, and give definitions of what bullying and harassment is, together with separate examples, towards the beginning of the policy;

(c)   does not include a section regarding the roles and responsibilities of employees with regards to dignity at work in section 5. It should stipulate that all employees should not bully and harass others, and must treat everyone with dignity and respect. It should also include that employees are also responsible for raising anything they witness or experience to encourage people to speak up about inappropriate behaviours and/or call

it out when they see and/or hear it. This appears, to some extent, in section 11, but it is not clear what "*the appropriate action*" is, as referred to there. Section 5 and section 11 ought to be combined up front. Para.11.3.1 also seems to be more supportive of the alleged perpetrator than the complainant when it comes to the availability of confidential advice by referring to the person accused first. This sends the wrong message. It ought to be the other way round;

(d)   seems to emphasise an informal approach to bullying and harassment, which contradicts the "zero tolerance" approach stipulated earlier in the policy. A zero tolerance approach should be emphasised throughout;

(e)   is incorrect at para.7.2.1 where it suggests that harassment is normally more than one incident, unless sufficiently serious. A single incident of unwanted conduct that has the requisite purpose or effect constitutes harassment regardless of subjective notions of seriousness. The policy should make it clear that any unwanted conduct related to a protected characteristic has the potential to cause offence and, therefore, constitute harassment. It should also explain the concept of offence and the fact that, what may seem like an innocent act/conversation between equally-minded employees, may offend a bystander and, therefore, also constitute harassment. We provide a real-life example of this within the Service at para.349 below. Employees should be encouraged to be more mindful of what they say and do in order to ensure the workplace is respectful for all;

(f)   includes an old definition of "*bullying*" at para.8.1.1. The ACAS definition does not include any element of intent, and also uses slightly different wording;

(g)   explains at para.13.1.1 what victimisation is, but it does not expressly prohibit it or say that it will lead to disciplinary action. The policy ought to make this abundantly clear. It should also make it clear that individuals can

also be held individually liable for victimising someone who has raised a complaint of discrimination or harassment;

(h) refers to the Mediation Policy and Procedure at section 14 but, as we understand it, that policy was taken out of circulation in February 2017;

(i) Appendix 1 has no part to play in a workplace policy of this sort and is incorrect in places: for example, there is no requirement to have raised a grievance before bringing a claim in an Employment Tribunal (albeit any compensation can be reduced if there has been an unreasonable failure to do so), the Service cannot defend a claim on the basis that it has taken steps to support the claimant, and time limits are also different now that ACAS Early Conciliation is a prerequisite to any claim. A Dignity at Work Policy is about encouraging the correct behaviour towards others, not about the legal implications for the Service. Appendix 1 ought to be removed;

(j) Appendix 3 should also be updated to include conduct at Service-related sports clubs or events, as well as social media content (including, but not limited to, WhatsApp).

(5) The Grievance Resolution Procedure:

(a) was last reviewed in 2017, which, again, suggests that it is not important to the Service;

(b) needs to be completely re-written. Not only is it unduly convoluted, but also the tone and language of the Grievance Policy is one-sided and, in our opinion, actively acts to discourage people from raising concerns. The main message from a cultural perspective is that there will be a complex, legalistic process and that the Service will be looking to protect itself rather than to protect the employee, which is off-putting rather than encouraging. For example, the use of "*the employee*" language

throughout, rather than *"you"*, makes it feel inaccessible and not there to help protect the Service's people;

(c)   is also 22 pages long, convoluted, and confusing in places. It is not very user-friendly and digestible. It would benefit from being streamlined and a more user-friendly flowchart being placed upfront;

(d)   has undue emphasis on dealing with grievances informally. Whilst employees should seek to address concerns informally in the first instance, if possible, an employee is at liberty to go down the formal grievance route if they do not want it dealt with informally;

(e)   places a time limit on the bringing of a grievance in para.5.1 and Appendix 5 which should be removed. Whilst it may be more difficult to investigate historic complaints, there is no time limit on the raising of a grievance internally and the Service cannot choose not to investigate a grievance that is brought after 3 months. The Service must investigate all grievances appropriately, regardless of when the conduct complained about took place and/or the level of detail provided;

(f)   is also unclear at para.5.3 where it says: *"It is only possible to hear complaints that are within the power of the Service to remedy"*. That suggests that it is in the Service's discretion whether to hear a grievance or not, and leaves scope for the Service to refuse to hear a grievance where it does not feel that it can remedy an issue. This sentence should be removed;

(g)   at para.6.2 (and the flowchart at Appendix 4) should provide scope for individuals to raise concerns directly with their line manager or another appropriate line manager in the first instance if they do not feel comfortable raising it with the person involved (and not just if the issue remains unresolved). Equally, paras.6.2 and 6.3 (and the flowchart at Appendix 4) should also provide scope to go directly to the formal stage if

the individual does not want the matter addressed informally. This gives people options and removes any scope for managerial discouragement from raising matters formally and/or pressure not to go down the formal route. It is also noted that "*interpersonal mediation*" is referred to in the flowchart at Appendix 4 but nowhere else in the grievance procedure, so it is not clear what this is intended to cover;

(h) at paras.6.3.4, 6.3.5, 15.3.2 and Appendix 1 seems to suggest that a grievance meeting will be held with all parties involved. This is not in accordance with the ACAS Code on Disciplinary and Grievance Procedures ("the ACAS Code"). An adversarial process of the nature currently contained within the grievance procedure pits the Service against the person complaining, which sends the wrong message. A separate grievance meeting with only the person raising the grievance (and their companion) should be held to obtain further details before any investigation takes place with others. It should not be necessary to give 10 days' notice for such a meeting (as *per* para.6.3.3) as that delays the process. That meeting should take place as soon as possible. There should be no enforced meeting of all parties unless the parties agree to facilitated mediation;

(i) at para.6.4.4 is unnecessarily strict and distrusting. It ought to be re-worded;

(j) at section 10 should make it clear that any victimisation of someone because they have raised a complaint is strictly forbidden at any time, not just within/during the procedure;

(k) whilst the provisions for assessment and monitoring at section 13 are to be applauded, we understand that these have not been utilised in practice;

(l) at Appendix 5 refers to "Modified Grievance Procedures" which no longer exist. It also suggests that the grievance procedure is not intended for use

where, for example, (i) the grievance relates to harassment and bullying, which is clearly not correct, especially when the Dignity at Work Procedure refers back to the grievance procedure, and (ii) any personal matter that is not directly related to conditions of service or the terms and conditions of service, which also cannot be correct. The Service should be careful not to be too prescriptive about what the procedure does or does not relate to as this can be confusing and lead to unwarranted pigeon-holing;

(m)   at Appendix 6 includes the provision of "Written Resolution Development Plans" which sound like a good initiative on paper, but we did not see any evidence of these having been used in practice in the documents.

(6)   The Whistleblowing Policy:

(a)   is randomly to be found in the "Finance and Procurement" section, rather than the "Our People" policies. It is not clear why this is;

(b)   could be made clearer and more explanatory, so people fully understand what whistleblowing is and the procedure to be followed; the current version is not the most user-friendly, does not clearly set out the procedure to be followed and does not allow for meetings with the individual raising the concern, which creates the impression that they are shut out of the process and negatively impacts on trust and transparency;

(c)   seems to suggest at para.1.3 that a grievance and whistleblowing are mutually exclusive, which is not always the case; a grievance raised under the grievance procedure may also have a public interest element which would also qualify it for whistleblowing protection, and it ought to be possible to use either procedure to obtain a resolution. Equally, a complaint raised as whistleblowing ought to be capable of being dealt with under the grievance procedure if necessary. The Service should be careful about unduly pigeon-holing complaints and/or dismissing complaints on a technicality (which we heard, during the Review, has happened previously),

given that many people will not appreciate the legal complexities involved. It might be worth making clear in the policy that people will not be penalised for using the wrong policy;

(d)   should also include as part of the Employees' Responsibilities at para.4.1 that employees ought to encourage other people to also raise concerns/speak up and not retaliate against or victimise anyone for having done so. Everyone has a part to play in creating a positive and safe culture in which concerns can be raised and addressed;

(e)   furthermore, whilst employees need to be assured of confidentiality if they have concerns about being identified, they ought not to be placed under an obligation to maintain confidentiality regarding their concerns (as in paras.4.1 and 10.1) as that is counter-productive to encouraging people to speak up and feeds an issue with regards to lack of transparency and accountability. Staff ought to feel encouraged and comfortable about raising concerns openly in the knowledge that they will be appropriately addressed. Whilst employees should be encouraged to raise matters internally in the first instance, they should also not be prevented from raising matters externally;

(f)   it is also inappropriate to place any burden on the employee to prove or demonstrate anything (as in para.6.4). Whilst that may be the case in an employment tribunal, internally all the individual needs to do is raise the concern and provide any supporting evidence. It is then for the Service to investigate appropriately, make findings accordingly and, if necessary, take any action they deem appropriate;

(g)   there should also be no additional burden on the individual raising the complaint if it involves senior members of the Service (as in para.6.3), as this may be seen as an additional barrier to raising a complaint against a

senior person. The same procedure should apply regardless of who is involved;

(h) needs to be reviewed to ensure the tone and language does not act to discourage people from raising concerns or following the procedure. For example, suggesting within the policy that they might need to meet with the person they have complained about and/or be a witness is counter-productive. Also requiring people to *"put their name to their allegation"*, and/or suggesting that concerns might not be investigated if not, suggests an element of distrust. All allegations ought to be investigated even if raised anonymously, albeit the difficulty in investigating anonymous complaints can be explained in the policy and encouragement given for people to speak openly. Appendix 2 is also somewhat accusatory in tone as it refers to "*you have implicated him/her in the wrongdoing*" and the disciplinary action that may be taken on the back of reporting concerns and/or retaliation. This may discourage people from reporting concerns, as people generally do not want to feel like they are getting people in trouble. Terms referred to also need to be appropriately defined. For example, para.6.2 refers to the Monitoring Officer and Appendix 2 refers to the "board" without defining who they are. The language of the policy needs to be reviewed to make sure it is accurate, appropriate, neutral and non-accusatory;

(i) should also make it clear that individuals can now also be held individually liable for subjecting someone to a detriment for having raised a whistleblowing concern.

(7) The Complaints Procedure:

(a) is in the "Communications, Consultation and Engagement" section;

(b) places a time limit on complaints at paras.7.1 and 7.2, which should be removed. Whilst the policy can explain that historic complaints are more

difficult to investigate, there should be no time limit on the raising of a complaint because there may be legitimate reasons why an individual may not have come forward sooner. It should also not be necessary, in the case of a concern being raised on behalf of someone else, to have that person's agreement (as in para.7.3) before an investigation can be carried out. All and any unnecessary hurdles to raising complaints should be removed from all such policies.

(8)   The Discipline Procedure:

(a)   was last reviewed in 2020, refers to a point of contact that is no longer employed by the Service, includes links that do not work and has erroneous references to legislation;

(b)   is 39 pages long. Whilst the content is broken into sections and is easily digestible, it would benefit from being streamlined;

(c)   fails to set out a clear set of (non-exhaustive) disciplinary rules making it clear what amounts to inappropriate conduct at work and outside of work, and how managers can work with staff to maintain those standards and encourage improvement where necessary. Whilst there are some examples of misconduct and gross misconduct in the appendix, these are not particularly clear or digestible, and do not include many of the things we would expect to see in a policy of this nature and a service of this nature (especially given the behavioural issues that exist, as set out in this Report);

(d)   fails to make it clear that all matters of misconduct should be brought to the attention of HR (not just those involving criminal conduct and/or serious misconduct), and appropriate guidance and support taken, to ensure a consistent approach to matters of misconduct across the Service;

(e)   includes provision for a "Fast-track Disciplinary" in cases of admitted misconduct that does not amount to gross misconduct. This precludes a

full investigation from being carried out (which may disclose further allegations), restricts the disciplinary panel as to sanctions, and also risks a split decision as the panel only consists of two people. In the documents, for example, we saw one case of a criminal conviction for harassment of an ex-girlfriend which was processed as a Fast-track Disciplinary because the conduct was admitted. The panel found a breach of the implied term of trust and confidence (which, ordinarily, amounts to a repudiatory breach and, therefore, gross misconduct) for failing to inform the Service of the arrest, but the panel was limited to giving a final written warning because it was a Fast-track Disciplinary. This makes a mockery of the process, because it means the decision-making power effectively lies in the hands of the person deciding which track the case is on, rather than the independent disciplinary panel, whose hands are tied. Notably in that case the individual had been dismissed from his primary employment with the prison service because of the same conduct, which demonstrates the leniency exercised by the Service as compared to others. The Service ought to remove the "Fast-track Disciplinary", and deal with all cases as swiftly as the circumstances allow;

(f)   whilst, in theory, the Discipline Procedure covers the necessary elements of such a policy, we have concerns about whether it is followed correctly in practice (on which see paras.267-294 below).

(9)   The Communicating through Social Media Policy is not fit for purpose. We address this at paras.164-175 above. Amongst other things, it should be in the "Our People" section of the policies, and should cover all forms of social media, including express coverage of the Service's position on media such as OnlyFans.

(10)   The tone and language of all policies and supporting documents (including template forms and/or letters) ought to be reviewed to ensure that it is accurate/appropriate for the context, neutral/non-accusatory in tone, and supportive/conducive to properly addressing issues that arise.

(11) The Service should also include wording within each policy inviting fresh employee input such as: *"If you have any suggestions for how this policy could be improved, including any suggestions regarding the language used in the policy, please contact [POSITION]."* This encourages a collaborative and inclusive approach to ensuring adequate systems are in place.

(12) There appears to be little to no basic training provided to managers in relation to the Service's policies and/or the application of them (on which see paras.192-200 below).

190. We make further comments in respect of other relevant policies in the section on Protected Characteristics (Section 12) below.

191. The Service would benefit from a complete overhaul of its policies and procedures to make them more streamlined and accessible. We understand that a policy officer has been allocated from within HR and work is underway in this respect, but it may benefit the Service to start from scratch, with legal advice, rather than re-hash old policies. The Service should also seek the input of trade unions, as it asserts it has done historically, and other employee representatives when implementing new policies to ensure their thoughts and ideas are heard and taken into account. Indeed, given the current "*them and us*" divides within the Service as explained in this Report, the Service would benefit from discussion with a diverse set of representatives (including from each rank, watch and department) when implementing any change management programme, and not just managers.

d.   Training

192. Coupled with the inaccessible nature of the policies, training in respect of standards, expectations and policies also remains wanting. We did not hear much with regards to training, and there appears to be a general lack of in-person training in any event. Aside from the New Starter Induction, which includes standards and expectations, training in respect of EDI, and domestic violence (which we address at para.224 below) and recent online EDI training for all members of staff, statistics we have seen suggest that there

has been no or insufficient training in this area for a number of years. We also understand that managers are given little, if any, leadership skills or management training when they are promoted into managerial roles - they are simply left to learn 'on the job'. This is also the case for managers conducting disciplinary and grievance procedures (albeit we have been told of some recent training given in March 2023 in relation to disciplinary procedures, which we comment on at para.200 below). If they have received training, it has not been regularly updated. This is unsatisfactory.

193. In theory, people should not need to be educated about what is and what is not appropriate behaviour at work. However, in practice, in a workplace with long-serving employees where standards of expected behaviour have changed considerably over time, people need to be regularly reminded about what amounts to acceptable behaviour in the modern day and the standards of behaviour expected by the Service. Furthermore, managers need to be equipped with the skills necessary to manage and develop their people, as well as have the confidence to have difficult conversations and address poor behaviours when they arise.

194. The fact that the current level and content of training is ineffective is demonstrated by the types of behaviour we saw and heard about during the period of the Culture Review, including racist and sexist comments, behaviour and/or social media content, and other extremely inappropriate behaviours, such as urinating on the floor of a Chinese Takeaway and racially abusing the 10 year-old son of the owner, and "*play-fighting*" on station to the point of unconsciousness. These are the examples that have been dealt with formally, but there are, no doubt, many examples of poor behaviour which go unchallenged. One person asked how a comment/conversation between two people, that did not offend either of them, could be said to be offensive if someone else unintentionally overheard. This demonstrates a lack of understanding of the concept of offence, and how the discrimination and harassment provisions of the Equality Act 2010 operate. He is probably not alone in that understanding. It demonstrates that any training in this area has not been effective.

195. The 'whack-a-mole' approach to combating discrimination, as here, in isolation does not work well enough, does not improve an organisation's culture, and is not sustainable in the long-term. Education is a key pillar in ensuring that people fully and properly understand the concept of discrimination and harassment, and are more mindful of what they say and do in the future.

196. Some people in the Service have received EDI training and/or initiatives as "*demonisation*" of straight, white, men. That should certainly not be the intention or effect of EDI training. However, that feeling does, to some extent, suggest a level of defensiveness that may lead to an element of resistance towards inclusive practices. This is particularly so when coupled with an entrenched lack of understanding in relation to the benefits of positive action. Some members of staff incorrectly believe that entry levels are lowered in order to recruit individuals with a particular protected characteristic, and expressed as much to the Culture Review team. This leads to a level of resentment which is damaging to a cohesive culture. On the flip side, it also makes members of those under-represented groups feel like they constantly have to work harder in order to prove themselves. A number of female firefighters, for example, expressed such sentiments, with one female firefighter explaining that there had been a couple of occasions where she had to nearly injure herself, physically or mentally, to try and get a job done so that male firefighters did not look at her differently.

197. Notably, respondents to the Walking the Talk survey who identified themselves as belonging to an under-represented group consistently scored lower on all questions about their experiences, suggesting that there is a lot of inappropriate behaviour experienced throughout the Service.   All members of staff need to fully understand and appreciate the benefits of a diverse workforce, not see EDI initiatives as a personal attack, and seek to appreciate and understand the experiences of others, and how damaging such discriminatory behaviour can be.   Indeed, we saw examples of members of the Service self-reflecting upon learning of someone else's experience(s), which demonstrates that real progress can be made.

198. A comprehensive package of face-to-face and interactive training, using various methods and learning platforms (including, for example, lived-experience discussions from both internal and external people, where appropriate), and covering at least the following should be implemented:

(1) dignity at work training, including treating people with respect;

(2) equality, diversity and inclusion training, including the benefits of positive action;

(3) training with regards to tackling and preventing domestic abuse and sexual violence;

(4) training on disability discrimination, including mental health and reasonable adjustments;

(5) social media training and how to use social media responsibly;

(6) management training in respect of:

   (a) leadership skills, and managing and developing people;

   (b) dignity at work, including treating people with respect;

   (c) equality, diversity and inclusion, including the benefits of positive action;

   (d) disability discrimination, including mental health and reasonable adjustments;

   (e) cultivating a compassionate culture;

   (f) challenging poor behaviours and having difficult conversations;

   (g) conducting Disciplinary and Grievance procedures;

(h)   GDPR and general confidentiality.

199.   Continuous professional development by way of annual compliance training in respect of the skills listed should also be a mandatory requirement to prevent these initiatives from also becoming tick box exercises, and to ensure the principles are fully absorbed and ingrained so that people do not revert to their old ways.

200.   We have seen the slides from some training provided in March 2023 with regards to the conduct of disciplinary procedures, which, on the face of it, appears to be comprehensive and interactive in nature. We encourage the Service to roll this out to all managers, if possible, as it provides useful guidance for identifying misconduct and how to raise it through the appropriate channels. At the very least, it should be rolled out to all individuals that sit on disciplinary panels. We also suggest that the training includes information on how conduct impacts on culture as well. Similar training in respect of the management of grievances should also be provided, particularly in relation to complex and/or inter-related grievances, again for all managers, if possible, but at the very least for those sitting on grievance panels. Training on disciplinaries and grievances should be conducted annually, as provided for in para.199 above, so that it is kept fresh and current, covers new/incoming managers, and provides scope to discuss real-life examples/lived experiences that the Service has had to address.

11. Policies and Systems in Practice

a. Human Resources

201. HR is a central function in all organisations: it manages the employee life cycle from recruitment through to dismissal and everything in between. Not only does HR ensure that the organisation is complying with employment rights, but it also has a key role in setting the standards and devising the policies that are vital to the organisation's culture. It is the enforcer of fairness and consistency within the organisation. An organisation's systems for managing poor behaviours are, ultimately, only as strong as its HR function, and its ability to police them.

202. A robust and effective HR function will make a significant contribution to a productive and happy workforce, that feel listened to and who trust the policies and systems in place. However, a dysfunctional HR department that is primarily transactional in nature and does not take a proactive role, leads to inappropriate behaviours being tolerated over time. In turn, those behaviours have a negative impact on the organisation's culture and result in a disgruntled workforce, who have low trust in the processes that should be in place to protect them.

203. Within the SWFRS, HR is made up of the following departments: Recruitment and Resourcing; Learning and Developing (including Equality, Diversity and Inclusion); Employee Relations (including the Resolutions Unit); Payroll and Pensions; Attendance Management; and Occupational Health.

204. Overall, the Occupational Health Unit is a very well-respected area of the Service and many of the people that we spoke to that had utilised Occupation Health services spoke very highly of it and how they had benefited from that support. This is a very positive aspect of the Service and something that is done well. It should be applauded. In order to maintain its independence and integrity, we recommend that: (a) the Occupational Health Unit has its own Head of Service, and is not managed by the Head of HR; and (b) verbal discussions between the Service and Occupational Health regarding any

particular individual are not conducted without offering the individual the opportunity to be present.

205. In terms of the rest of HR, individually, we were, in the main, impressed by each of the members of HR that we spoke to over the course of the Review. They clearly have specialist skills and are experts in their area. Unfortunately, however, due to a history of poor management, rather than working together as a united team, HR has developed in a way that has led to each area working in silos. There is poor communication across the channels, which makes the HR function disjointed and ineffective. This, in turn, contributes to HR personnel feeling overworked and under-resourced, as there is nobody else within the team that can help them. It also negatively impacts on culture as people become frustrated by the very system that is meant to service them. A recent high turnover within HR does not assist in this respect, as it means there is less of a holistic view of employees and workplace issues, less joining of the dots, and things fall through the cracks.

206. Many people reported being unable to contact HR when they tried, emails not being responded to, delays, and/or a lack of compassion and understanding for their circumstances. These frustrations cause people to then reach out to the CFO, who we heard tends to deflect the email back to People Services to respond. Whilst technically this is the correct approach in respect of HR matters, it creates further frustration by causing people to think that the CFO is not interested in what is going on and/or does not value them.

207. We are also aware of a chasm that has developed between HR and operational staff in particular. People reported a "*them and us*" divide between operational staff and HR, and our communications with people suggested that there is lack of respect for each other on both sides - operational staff for HR and vice versa. Whilst they are symbiotic - one cannot function without the other - there seems a fundamental lack of understanding and respect for what the other side do. This can also be seen from the tone and language used in communications between the two.

208. It is difficult to know how or why this divide has developed: on the one hand, we have seen evidence of operational staff questioning the utility of civilian staff, whereas on the other hand we have heard that HR have previously taken a transactional and impersonal approach. We have also heard that HR is referred to as "*Human Resistance*" or "*Human Remains*". This is not only disrespectful, but also suggests that HR is seen as an obstacle, when in fact it is an important function to ensure fairness, consistency, and good employment relations. HR ought to be effective in helping the Service foster and maintain positive relationships with its employees and vice versa, and acting as an impartial arbiter in the process. We have seen communications that suggest this has not always been the case.

209. We also heard that things are kept from HR, and they do not find out about them until it is too late for anything to be done (for example, hearing of stories at leaving parties). This is the case in relation to both operational staff and managers, including senior managers. HR would be the last to know about misconduct, for example, even when senior managers may have already commenced an investigation/fact-finding process. This unwillingness to get HR involved to avoid things becoming "*too formal*" or "*too serious*" is problematic for an organisation's systems and culture. To allow formal grievance and disciplinary processes to be circumvented in this way sends the wrong message to staff: on the one hand, it sends the message that people can behave how they like and get away with it, and, on the other hand, onlookers begin to believe that conduct issues will be swept under the carpet. This, in turn, discourages people from speaking up about poor behaviours and misconduct because they believe nothing will be done about it.

210. This view, is, sadly, somewhat validated because we also saw and heard examples of particularly tricky issues being relegated to the "*too difficult*" pile. We heard, for example, that there is an issue of sexism and misogyny in the corporate side of the Service, including inappropriate messaging on social media, inappropriate advances being made, retaliation following rejection, and general sexist comments to and/or about female members of staff. Despite being aware of this, and having information

as to the identities of the main culprits, HR has not taken any pro-active steps to properly investigate the matter, and stamp out such conduct.

211. There are also examples of complex grievance and disciplinary cases that have been subject to substantial and unnecessary delays, and not properly addressed by the Service. Delays allow negative feelings to fester, which develop into anger and frustration, a sense of not being valued by the Service, and/or ultimately mental health issues, all of which are more complicated for the Service to address in the long-run. We also heard that the Service is good at *"moving problems"* but not ultimately addressing the root-cause of the problem, which also leads to frustrations.

212. All of these issues have a detrimental impact on culture and morale over time, and fundamentally undermine people's trust and confidence in the Service.

213. In addition, record-keeping and systems within HR are of unsophisticated design and somewhat disorganised operation. Whilst the Service uses CoreHR for data management and basic HR processes, there does not appear to be a centralised document management system in place. Random documents are saved in random files, and are not easily comprehensible from what we saw. Ultimately, such systems mean that data and document sources are disconnected and, again, things tend to fall between the cracks. This is particularly problematic during periods of absence, staff turnover or transition.

214. Coupled with these poor record-keeping systems, we are also concerned about the data protection systems in place at the Service. We are aware of examples of breaches of confidentiality, including, for example, medical information being left on managers' desks, disclosure of drug testing, inappropriate gossip about disciplinaries, and personal information being incorrectly shared with the accused during an investigation or disciplinary process (and in one case where the complainant had specifically asked for her identity not to be disclosed). Whilst we are told that all known data breaches are investigated and, if necessary, reported to the ICO and the police, the fact that such breaches are occurring in the first place is particularly troubling from a data protection

and welfare perspective, and also leads to a loss of trust and confidence by staff in the systems in place. This is also reflected in the results of the Walking the Talk survey, where the third most common reason why people said they had not spoken up was because they did not think the matter would be handled sensitively or confidentially. There needs to be effective training in respect of GDPR to ensure these issues do not continue and toxic gossiping is stamped out.

215. We are encouraged by the steps being taken by the new Head of HR to correct some of these issues. For example, a restructuring of the HR department should help to change the silo-mentality that currently exists within HR, to ensure a more productive HR function, whereby each individual can cover all or most areas of HR. We are also encouraged by the fact that, just before and since the inception of the Review, HR staff are visiting stations more frequently. This should help to bridge the "*them and us*" divide, make HR more accessible to operational staff, and assist with a better understanding of the role of a firefighter and vice versa. We hope this continues on a regular basis and we encourage operational staff to be open-minded about how they can work with HR more effectively. A two-way system of respect is critical to improvement of the culture of the Service.

216. Finally, we have also seen more pro-active handling of disciplinary and grievance cases since the Summer. The use of an external HR Consultancy to investigate disciplinary and grievance cases has been beneficial in clearing some of the backlog and ensuring that a full, independent and balanced investigation takes place. In the current climate, the Service may also benefit from external input and/or decision-making in respect of promotions, grievances and disciplinaries as well. Particular aspects of HR practice are addressed more fully below.

b.   Recruitment, initial training and induction

217. A job in the SWFRS is very valuable. Therefore, there is significant competition to become a new recruit. At the same time, the workforce is far from diverse, and the Service knows that that needs to change. The Service has made good efforts to improve

its recruitment of new firefighters from more sections of the community than it has historically; for example, its social media campaigns, and reaching out to parts of the community such as boxing clubs. Unfortunately, this positive work has been interpreted by some members of the Service, from whom we heard directly, as a lowering of standards to allow individuals from under-represented groups to be recruited when they would not otherwise be considered good enough. This impression is false. The fact that it still exists may be because of a failure on the part of the Service to promote a proper understanding amongst its members of its efforts to recruit a more diverse workforce. Or it may be because of ingrained prejudice on the part of those expressing such views. In either case, the Service needs to improve its communication in relation to recruitment so that those views are not allowed to remain. It is particularly damaging to the well-being of those who are recruited if they are working alongside colleagues who believe that they are not good enough because they are part of an under-represented group.

218.   There remains a particularly pernicious view that women are inherently not strong enough to be firefighters. We heard this view combined with ageism when we were told that there were some things that women in their 50s cannot do. These views are wholly misguided. First of all, women in the fire service train very hard in order to establish and maintain their fitness at the required standard. Second, a watch is a team, and, to be an effective firefighting team, a range of skills and physiques are required. Good firefighters understand this. Thirdly, firefighters spend only a minority of their work time on tasks that require the fitness and strength upon which some are so focused.

219.   In contrast to such prejudiced views, we also heard impressive accounts of the support that some aspiring women recruits have had from those at their local fire stations to enable them to reach the fitness standards for recruitment, by providing them with fitness coaching as well as encouragement. We also heard from many male firefighters who fully appreciated the abilities of women firefighters and the valuable contribution they make to the Service.

220.   The Service well understands that it needs to improve the diversity of its workforce, but it needs to take a whole system approach so that its culture improves throughout. If it fails to do this then its problems with its culture will lead to talented staff who are from under-represented groups leaving, something of which we saw evidence during the Review.

221.   As we have noted at paras.75-76 above, the Service needs to recruit more talent from outside the organisation, particularly to senior and executive roles. If the Service takes this approach to recruitment, then it may improve the diversity of the workforce at all levels more quickly, rather than relying on change from the bottom up.

222.   We visited the Training Centre because it is of vital importance to the Service's culture. It is the place where most recruits first learn what the Service is all about. Staff at the centre emphasised to us that they saw themselves as imparting "*standards*". Unfortunately, we found the atmosphere at the Training Centre to be different from that which we found on fire stations. It was not as welcoming; the reception we got from some of the members of staff, but by no means all, felt tense, even hostile. Our troubling impression was consistent with the picture we found in our review of the documents and interviews. We learned of inappropriate teaching methods, harsh feedback, and inappropriate messaging of female recruits (on which see paras.158 and 167-168 above). There is a fine line between bullying behaviour and applying appropriate pressure to reflect the stressful situations in which firefighters may find themselves. Unfortunately, we find that the conduct at the Training Centre is sometimes on the wrong side of the line, and is also often sexist. (We found similar issues with regards to Fire Cadet Instructors.) Again, whilst it is not all instructors that take a bullying approach (and we heard examples of excellent instructors at the Training Centre), it is a current problem that needs to be addressed. This seems to be a hangover from yesteryear, which everybody knows about, yet still tolerates and allows to persist.

223. On the other hand, however, we were impressed by the thoughtfulness, integrity and commitment of others who train new recruits. They are good role models, and should be thoroughly appreciated by the Service.

224. We heard about the excellent work that is done at the Training Centre to make teaching and examinations more accessible to recruits who are neuro-divergent. We were also shown some excellent materials that we were told were used to train recruits in relation to domestic violence. However, we did not see evidence of pro-active teaching of professional standards in relation to all the values and behaviours with which this Review is concerned. Given our findings, we recommend that there is such teaching in order to establish at the start of a firefighters' career what is expected of them in order to maintain public safety, and trust and confidence in the Service.

c. **Promotion**

Overview

225. As a hierarchical organisation, operational progression within the SWFRS necessarily means climbing up the ranks. Promotion is therefore critical to progress. In a command-and-control structure, in which those who hold rank hold power, there are strong inherent incentives to seek promotion.

226. Equally, promotion is also of marked practical importance because, from 1 April 2022, all firefighters in service will be members of the Firefighters' Pension Scheme (Wales) 2015 ("the 2015 Scheme"). The 2015 Scheme is a career average revalued earnings pension scheme, which means that, for each year as an active member, firefighters will earn a fraction of the salary for that year as earned pension, which is revalued for each subsequent year until retirement. This creates an additional powerful incentive to gain promotion, and the accompanying pay rise, as quickly as possible.

227. As such, amongst operational firefighters, there is a widespread desire to rush through promotion stages as quickly as possible. This has an immediate and dispersed impact

on the culture. Promotion was one of the most frequently recurring issues raised with us during the Review.

'Sponsorship' and nepotism

228.   We have addressed the impact of informal networks on the Service's culture at paras.145-152 above. There is a widespread concern that informal networks, such as membership of sports clubs, play a key role in who does, and who does not, gain promotion. There is a strong perception amongst operational firefighters that 'who you know' is not merely helpful, it is critical.

229.   Moreover, we have also been told that family members of more senior staff are given preferential promotional treatment (at both application and deployment stages), meaning that who you are related to also matters. Whatever the reality, the perception of a lack of a level playing field for promotional opportunities is itself inherently damaging.

230.   Equally, as discussed at paras.236 below, there is also a general perception that procedures are not robust and fair, and may be subject to undue influence by those within the Service.

231.   There is a strong perception that 'good deeds' and keeping heads down, are the best routes to being promoted. However, there is a corresponding, equally strong, perception that "*raising your head above the parapet*" (a phrase that was often cited during the Review) will result in promotion opportunities being denied, and one's career progression being thwarted. It has been described to us as a "*tool to sort of beat people with…if they ever raised a grievance or caused a fuss or caused a problem for people in senior positions then that would adversely affect their career.*"

232.   Promotion is therefore simultaneously both carrot and stick. It is used as a reward, and as a threat.

233. The fundamental theme that emerged is a lack of transparency in the promotion process and its outcomes. A lack of transparency permeates the entirety of the SWFRS culture, but in the context of the promotion process, and its importance for operational firefighters, it has an especially detrimental impact.

234. Due to timing of the Review, it is important to note that the evidence we have received focuses almost exclusively on the promotional system that has been in place until the recent introduction of the new pathways scheme. We have heard, however, that there is a general lack of confidence that the new pathways scheme will address the fundamental concerns commonly held surrounding promotion.

Applying for promotion

235. In brief, the application process for promotion involved a written application, exams and interviews. Several issues arose in respect of the application process itself.

236. The application process was perceived to be corrupt in different ways. There were widespread complaints of nepotism. It is clear that there is a strong perception that the promotion process is not consistently fair. It has been often said that a 'sponsor' is needed to get up the promotion ladder (i.e. informal support from a more senior manager).   As one firefighter put it: "*when somebody wants to go for promotion, if they have a sponsor, that person will help them push them and guide them through the process. And giving what some people saw maybe an unfair advantage to a particular individual over another. And that really feeds into the fact that there was people felt that the processes were rife with nepotism.*"

237. Cheating on promotion applications is also said not to be uncommon. It was frequently said to us that questions for exams and interviews were given out to applicants by managers (at both middle and senior levels). Whilst we were told of at least one disciplinary case being brought against a firefighter who received a copy of questions, we are not aware of any disciplinary cases being raised against the more senior providers of the questions. There is also more than one disciplinary case involving plagiarism at the endorsement stage (which we understand has now been removed).

238. It has been related to us that, more recently, steps have been taken to minimise the risk of questions being leaked. These include, in particular, not releasing the interview questions to the interview panel until very shortly before the interviews are due to take place. We encourage the Service to remain alert to such issues and ensure appropriate checks and balances are in place to minimise the risk of plagiarism. Given the current climate and the perceptions within the Service with regards to promotions, we also recommend that the Service has external and independent involvement on promotion/interview panels.

239. The requirements of the promotion application process have also had an impact on watch culture. We have heard that performative disciplinary action, such as the giving of a P12, has often been solely for the instrumental purpose of completing an application form. We address P12s at para.269 below.

The promotion list

240. If an applicant for promotion is successful, they are placed on the 'promotion list'. The promotion list is intended to be a list of the successful applicants, in order of achievement.

241. Applicants do not have a free choice as to the station at which they will take up their new rank and position. The higher up the promotion list, the more likely the applicant is to get one of their top station preferences. The SWFRS states that it draws from the top of the list, save that it may make an alternative selection based on business needs and the specific requirements of a given role.

242. However, there is a perception that the promotion list is itself manipulated. In particular, we have heard of successful applicants being told that they must accept certain deployments (far from their home, for example) or, if they refuse, they will be sent to the bottom of the list. This perception is exacerbated by the fact that the promotion list is not made public, and so it is completely opaque. This is also true of the elusive transfer list.

243. We have also heard of promotional deployments and/or transfers being given to people on a purely nepotistic basis, without being on the promotion or transfer list. Whether such reports are accurate or not, there is unequivocally a lack of transparency, which has bred damaging suspicion and rumour.

244. In the interests of openness and transparency, we recommend that the Service publishes the promotion and transfer lists so that people know where they stand. Whilst there may be some cases where the decision on promotion or transfer will need to be kept confidential for sensitive personal reasons, people are much more likely to be accepting/understanding of that if they have greater trust in the fairness of the process overall.

Temporary promotion

245. 'Temporary' promotion is something of a misnomer. A temporary promotion often lasts more than 12 months, and indeed, may last for a number of years. We have heard of temporary promotions lasting, for example, seven years.

246. Formally, to be eligible for temporary promotion, individuals will need to have: (a) undertaken and passed the relevant technical test, and (b) undertaken and passed the relevant level of incident command. However, it is not necessary for individuals to have actually passed the relevant promotion process, and be on the promotion list, to be eligible for temporary promotion. We have heard of individuals being temporarily promoted who failed the actual promotion process.

247. Essentially, it is for the line manager of the vacant role to ultimately decide who gains the temporary promotion. There is no open application, nor any other kind of formal process. It has the potential, and indeed propensity, to simply be a 'tap on the shoulder'. It is therefore rife for abuse, and as one firefighter put it, *"makes a mockery"* of the actual promotion process.

248. There is, again, a complete lack of transparency. The reasons that one person is picked for temporary promotion, over another, are not explained.

249. Whilst the flexibility and efficiency of temporary promotion mean it can plainly provide benefits as a deployment, it seems to be used where it is not necessary or appropriate, and for excessive lengths of time. As one firefighter put it, the SWFRS "*runs off*" temporary promotion.

250. Temporary promotion confers potentially undue advantages on the person who is temporarily promoted. The person that has been temporarily promoted will have experience, both practically and on paper, that will help them advance in the permanent promotion application. If the position is conferred due to nepotism, or without a fair process, then the perception, as well as potentially the reality, is that the advantage is itself unfair. This engenders resentment, suspicion and dissatisfaction amongst those who are not favoured for temporary promotion. We recommend that the Service reassesses its position with regards to temporary promotions and works towards abandoning them entirely.

d.   Grievances, Complaints, Whistleblowing and Raising Concerns

251. There are procedures in place whereby people can raise grievances, complaints, concerns and/or blow the whistle. Our concern, however, is that those procedures and systems are not effective in combatting inappropriate behaviours.

252. There is an external complaints system whereby members of the public can write or telephone into the Service to raise complaints. They can choose whether to provide accurate contact details or not. External complaints made into the Service generally appear to be actioned appropriately and responded to swiftly. We are also encouraged by the introduction of the Crimestoppers FRS Speak Up line which provides an additional channel for raising complaints, whether internal or external, and anonymously should the complainant so wish. This is a positive step given the findings we make below about the fear associated with speaking up and the lack of trust in the system.

253. There was very little evidence within the documentation provided in relation to the substantive steps taken to address each complaint raised through the external

complaints system and/or concern raised via the Crimestoppers line. That does not mean it does not exist, it just means we did not see it as part of our Review. We would encourage the Service to keep a full and complete audit trail, not only in relation to the complaint/concern and the response, but also in relation to the substantive steps taken to investigate and address the complaint/concern, including records of any conversations had or management action taken.

254. There were a few examples in the documents provided whereby a particularly tricky complaint, raised anonymously and/or with little detail appeared to fall by the wayside. This also seems to be the case in relation to concerns raised during exit interviews. We are concerned that the Service has previously failed to proactively investigate such matters to ensure they are properly addressed, meaning that potential misconduct goes unchecked. For example, issues of sexual harassment on the corporate side of the organisation and/or external complaints of harassment or stalking where the complainant has not provided a formal statement out of fear or otherwise. There are also examples of complaints made that were not actioned or addressed at the time, but resulted in further misconduct that led to disciplinary cases a year or so down the line, thus demonstrating the problem of not properly addressing the conduct at the time and/or nipping the issue in the bud.

255. In relation to concerns reported on the Crimestoppers line, such reports are inevitably, in the main anonymous, and lacking in detail. Therefore, we are concerned that they may fall into a similar abyss. We encourage the Service to take sufficient steps to proactively investigate such concerns, and not simply dismiss them if little information/detail is provided. This will include speaking to colleagues of the accused, and not just the accused themselves (who will, in all likelihood, deny the allegations), to ensure sufficient information is obtained to take an informed view as to whether any further action is required.

256. Despite the positive channels for raising complaints externally, the position internally is more troubling. We find that there are both perceived and actual barriers in place which prevent employees from speaking up about misconduct. There is a real fear

within the Service to speak up. As found by the Walking the Talk survey, the strongest driver of not speaking up is fear of damage to career prospects. We are also aware of examples where people were victimised and/or ostracised for having spoken up. Other factors preventing people from speaking up are fears that they might be labelled a trouble-maker, and/or concerns that the issue would not be taken seriously, and/or handled sensitively or confidentially.

257. The starting point is the Grievance policy. As explained at para.189(5) above, the Service's free-standing Grievance policy paints a poor picture. The tone and language used within the Service's freestanding Grievance policy is very one-sided and, in our view, discourages people from speaking up about complaints or concerns and/or proceeding down the formal route. If the Grievance policy itself does not offer encouragement to speak out, then how can managers be expected to provide that encouragement? The Grievance policy needs to be re-written in order to change the Service mindset.

258. We were also told that information would be kept from HR and/or people would not share things with HR so as to avoid formal procedures having to be followed (see para.209 above). Accordingly, any complaint or concern that was not dealt with formally, will not have formed part of our document review work.

259. We were provided with the details of 60 grievances between January 2016 and January 2023, and 185 complaints between April 2018 and July 2023. However, the details and documents provided to us in relation to each was of such varying degrees of completeness, that we do not have confidence that they present the full picture. We are also aware of grievances raised this year for which we have not been provided the documents.

260. From the documents we have seen, there are very few grievances relating to behavioural issues: for example, bullying, harassment, discrimination. The majority of grievances that we have seen relate to policy issues: for example, promotion, leave (especially PHs), transfer requests, sick pay etc. It seems that behavioural matters

rarely result in a formal grievance process being followed. This is either because there are very few behavioural issues (which, from our Review, does not seem to be the case), or, more likely, because such issues are not dealt with through the formal channels and/or are put aside and then ignored. This was a common theme arising as part of our Review, and fuels the reluctance of people to speak up. We heard of particular managers who would always try to address concerns informally and discourage people from raising a formal grievance. We also heard that the issues then did not get properly addressed and continued to fester. A number of people said that the Service is "*good at moving the problem*", rather than properly addressing the root cause, meaning the problem keeps cropping up time and time again.

261. All of the above factors indicate that what we have seen in the documents provided in relation to grievances and complaints and what we have been told as part of the Review, does not present the full picture and may well only be the tip of an iceberg.

262. The above concerns were also confirmed in the documents: there were a number of cases where a formal grievance was brought on a P59 form, but not dealt with as a formal grievance by a grievance panel, but rather folded back into an informal process by management. This undermines the grievance process and causes people to lose trust and confidence in the systems in place to address their concerns. It also creates the perception that concerns or issues are "*brushed under the carpet*" (a phrase we heard a lot during the Review).

263. From what we did see in the grievances and complaints, and/or heard about during the Review, bullying (primarily downward bullying, but also upward bullying) and sexual harassment (whether being comments related to sex or comments of a sexual nature) are problem areas for the Service, especially in particular stations and departments. Again, this all comes down to a general lack of respect for each other. Significant delays in the process were also common, which exacerbates the issues.

264. Where there is a grievance outcome, it includes very little detail and/or reasoning, and often fails to adequately address all of the allegations made. This is, in all likelihood,

due to a lack of management training in relation to how to conduct grievances. The Service would benefit from management training in this area and utilising a standard practice whereby grievance decisions mirror the structure of the grievance itself to ensure that all allegations are considered, and fully and properly addressed. Where a grievance is particularly complex, it may be helpful to agree with the complainant at the outset a list of issues/allegations that need to be addressed to ensure everyone is on the same page and to manage expectations.

265. We saw evidence in the documents indicating pre-determined outcomes and/or suggesting that only lip service was being paid to procedures, which is troubling. We also saw evidence of retaliation against people that raised a formal grievance, for example, by asking others to compile evidence which could then be used against them, either in the grievance process, performance management or a disciplinary process. This is even more concerning. We also heard that people would not progress within the Service if they were not "*yes men*" and/or if they raised concerns, which is another form of retaliation. This demonstrates that the way grievances have previously been dealt with and/or the reaction to the same within the Service, has created a mindset whereby people fear speaking up. This has to change. People need to stop being affronted when someone raises a concern and/or stop receiving grievances as a personal attack, and start encouraging people to speak up so that issues can be aired, improvements can be made, and people can move on swiftly.

266. Thankfully, most of the main culprits for the abovementioned issues are no longer employees of the Service. We hope that the remaining managers take the above comments on board and adopt an objective and impartial approach going forwards. Indeed, we have heard of one positive example this year where sense prevailed, a grievance decision was overturned on appeal, and proper redress was made. Although it took a significant amount of time to get to that position, this example demonstrates effective procedures in action. That is not to say that all cases can or should be overturned on appeal; if an objective approach had been taken in the first place, then the matter would not have needed to reach the appeal stage. Also, each case turns on its own facts.

e.   Disciplinaries

267.   We have serious concerns about the adequacy of reporting, investigation and outcomes in respect of the handling of misconduct matters within the Service.

268.   As mentioned at paras.209 and 258 above, it seems that many misconduct matters are also kept from HR so as to avoid a formal procedure. This means that the documentation with which we were provided will not present the full extent of the misconduct and inappropriate behaviours within the Service. This is demonstrated by the fact that there were relatively few formal disciplinaries relating to a protected characteristic/discrimination, whereas we heard of a number of cases involving inappropriate comments and/or conduct relating to protected characteristics. Either these cases are not being reported, or they are not being addressed formally by the Service; either way, it means such conduct goes unchecked and begins to proliferate.

269.   There is also a practice whereby individuals will be subject to a "P12" in relation to poor behaviour or misconduct. When we asked about P12s, the standard rhetoric we received by way of response from ELT was that a P12 is a record of a conversation, and it can be good or bad. However, in practice, a P12 has become widely known as a predominantly negative thing, and has been used as such by the Service. Whatever its origins, it has transformed into a verb with negative connotations – people get "*P12'd*". It is a tool ripe for manipulation because there are no procedures, checks, or balances in place for management action through a P12. They do not even always make it to HR, and may remain sitting in a drawer on station. We heard of examples where P12s are used to bully people, as we have already described at para.155 above. We also saw examples in the document review in respect of misconduct where the Resolutions Officers were stood down by senior managers in place of a P12. This precludes a fair and balanced investigation from being carried out, and effectively amounts to informal disciplinary action through the back door, without the checks, balances and consistency of a formal process. This is unsatisfactory and undermines the Service's systems and procedures overall.

270. We recommend that the Service abolishes P12s. Conversations should be recorded and documented, but that can be done in writing on a template 'Record of Conversation', signed by all parties. Informal warnings can, of course, be given without a formal disciplinary process, but if a formal verbal warning, written warning or other disciplinary sanction needs to be given, which will form part of someone's disciplinary record, then it should be done following proper procedures.

271. We were provided with the details of around 186 disciplinaries, or potential disciplinaries, since May 2016, including some from this year and/or in relation to which the misconduct took place during the Review. Whilst we were provided with some P12s, we were not provided with all of them, so the conduct we saw in the disciplinary documents may, again, only be the tip of an iceberg.

272. We had some difficulties in obtaining some of the documentation and, from our review of the documents that we had access to, we came across a number of other potential disciplinary cases in relation to which we had not been provided with the documentation, and which we had to request. There may be a legitimate reason for this, but the lack of transparency, even if not deliberate, is troubling and reflective of a wider issue within the Service with regards to communication, transparency and accountability, which erodes trust and confidence overall. We address communication and transparency at paras.308-322 below. Furthermore, the level of detail and documentation provided in relation to each disciplinary was of varying levels of completeness. For these reasons, we are not confident that the documentation that we have been provided presents the full picture.

273. Of the cases that we are aware of, we are also concerned about questionable and unexplained delays in decisions to suspend, including in relation to allegations of extremely serious misconduct. We cannot understand the apparent reluctance to suspend in those cases, whereas in other, less serious cases, suspension appears to have been a 'knee-jerk' reaction (a practice which has been condemned by the Court of Appeal). We encourage the Service to take an informed and consistent, yet swift approach to suspensions. Furthermore, suspension decisions should be grounded in

reason and rationale, and properly documented. It should be used as a last resort, and only in cases where there is a real and genuine risk to the investigation, other employees, or the Service (including safeguarding concerns), or in the interests of the welfare of the individual under investigation.

274. Of the cases we have seen, we are struck by the length of time it takes to get from the conduct in question to the conclusion of the process. This was a consistent picture over the whole period of time that we reviewed. Unacceptable delays undermine the utility of the entire process and cause great stress to the individual(s) involved. Whilst allowing a reasonable amount of time for a fair and balanced investigation to take place, and for an individual to prepare for a disciplinary hearing, disciplinaries should be dealt with swiftly and without undue delay, as stipulated in the ACAS Code.

275. On the plus side, of the investigatory documents we have seen, the Resolutions Officers have tended to carry out a fair and balanced investigation with a detailed audit trail and a helpful investigation report. Whilst a few of these have come across as heavy-handed and more akin to a police interrogation rather than an impartial employment investigation, on the whole the formal investigation stage, when respected by other managers, is a robust stage of the process. Two Resolutions Officers, however, is insufficient resource for the number of disciplinaries and grievances the Service has had to address in recent times.

276. In most cases, whilst we were provided with the investigation report and/or investigative log, we were not provided with documentation in relation to the disciplinary hearing or outcome, thus hindering our ability to properly assess the case. In relation to those cases where we had the disciplinary outcome letter, it included scant detail, saying little more than that the allegation was upheld and the outcome that was awarded. There was nothing evidencing the disciplinary panel's findings of fact and/or detailed rationale explaining why they reached the decision they reached or why they considered the sanction to be appropriate in the circumstances.

277. For example, in relation to the domestic violence case reported by ITV, there is no contemporaneous documentation explaining why the disciplinary panel awarded a final written warning in that case and not dismissal. It is very difficult to think of a reason why a conviction for domestic violence would not result in dismissal, given the seriousness of the conduct in question, the need to combat such conduct in society, and the importance of trust and confidence in the Service overall. We are aware from the underlying documents that the Judge upon sentencing commented that, whilst she was aware the Service had its own disciplinary procedures, she hoped the Service would think the individual had been punished enough and allow him to keep his job. It is not clear whether this influenced the disciplinary panel with regards to the appropriate sanction in the case. We comment further on such judicial comments at para.285 below.

278. Furthermore, in relation to the sexual harassment case reported by ITV, it is not clear to us which allegations were upheld, or why the disciplinary panel awarded a final written warning in that case and not dismissal. It seems to us that, if there was sufficient evidence to uphold the allegations, there was sufficient reason to dismiss the individual concerned, absent exceptional mitigation. Otherwise, the level of the sanction does not accord with the gravity of the conduct. Equally, if there was not sufficient evidence to dismiss, it seems to us that there cannot have been sufficient evidence to uphold the allegations. In this case, it seems to us on the information available that it had to be one or the other – there could not be a half-way house.

279. It has been encouraging to see improved disciplinary outcome letters for more recent cases, with the panel setting out their findings in relation to each allegation. However, there remains scant assessment of the evidence, and no details to explain the rationale behind the disciplinary sanction imposed. If such detail is not going to be included in the disciplinary outcome letter, managers would benefit from a template form, taking them through each stage of the process, and the things they need to consider and address when reaching their conclusions and outcomes. Such a form could then sit alongside the disciplinary outcome letter, which should also follow a template structure.

280. Of the disciplinaries we saw, very few concluded with dismissal. There appears historically to have been a real reluctance within the Service to dismiss, even in the most serious cases of misconduct. Whilst there have been a number of dismissals in the last few months, we are concerned that there remains an underlying problem. It may derive from a sense of compassion for someone who has done wrong, or it may be the reluctance to dismiss someone from a prestigious job with a good pension. However, such an approach is damaging for the Service's reputation and culture overall, as it sends the wrong message to staff and allows poor behaviours to multiply.

281. We have seen a number of disciplinaries concerning police involvement or criminal convictions, in relation to which the individual has remained employed post-conviction. Whilst each case turns on its own facts, we would ordinarily expect criminal convictions for assault, domestic abuse, harassment, drug abuse, and/or driving under the influence of drugs and/or alcohol to be met with dismissal given the nature of the Service provided and the importance of public safety. Where the individual remains in the employment of the Service after a criminal conviction, we would strongly encourage the Service to reassess their appropriateness for the role which they hold, and the message that sends about culture to other members of the Service, particularly new recruits. Even if a conviction is ultimately spent, the fact of it will often remain in the public domain, so that those in and outside the Service can see that it will tolerate criminal conduct on the part of those it employs.

282. Furthermore, what is stark about those cases involving criminal conduct we have seen is that:

(1) where the police take no further action, the Service also tends to take no further action, without conducting its own investigation; and

(2) the Service appears not to suspend, investigate, or follow a disciplinary process until after a conviction, even when they have been made aware of the conduct at the time of the arrest.

283. These practices allow such conduct to go unchecked either completely, if there is no further action and/or no conviction, or partially until after a conviction is in place. This is damaging to the Service and puts it at significant risk. It allows serious misconduct to go unchecked, and sends the wrong message to the rest of staff. It also suggests that the Service is more concerned about the public perception following a conviction, rather than the conduct itself, which is problematic for the Service's culture.

284. There is no automatic legal or technical reason why an internal investigation cannot run in parallel to a police investigation, not least because the burden of proof in relation to employment matters is the 'balance of probabilities', which is a much lower burden than that in criminal matters of 'beyond reasonable doubt'. We understand that the Service intends to change this practice going forwards and we strongly encourage it to do so, so that misconduct can be investigated and addressed in a swift and timely manner, independent of any police investigation or judicial process, unless there is a specific request from the police not to do so.

285. We have also seen examples within the disciplinary documents concerning criminal convictions, whereby the Judge upon sentencing has made comments that may be thought to discourage dismissal. This is unhelpful. The considerations that determine sentences for criminal convictions are significantly different from those which should guide employment-related disciplinary decisions. The Service ought to reach its conclusions about the appropriate outcome in each particular disciplinary case without undue influence by comments made by a criminal Judge (or other individuals involved in the process, including, in some cases, the victim), who may themselves have exceeded the ambit of their jurisdiction. This is another reason why a practice whereby any criminal conduct is investigated swiftly by the Service, and addressed prior to conviction, where possible, is to be preferred.

286. There also seems to be a pattern whereby conduct against and/or risk to the Service appears to be treated more seriously than conduct against and/or risk to people. For example, theft, fraud or plagiarism, is treated particularly seriously, whereas convictions for and/or allegations of assault, domestic violence, and/or harassment do

not always seem to be treated so seriously. Again, this sends the wrong message. It suggests that self-interest is more important than caring and respectful behaviour towards others.

287. We were struck by the number of domestic abuse and/or harassment cases that the Service has been made aware of that have not been properly investigated. We have seen cases of men getting away with a number of misdemeanours with a warning or less, whereas we saw that one woman ultimately ended up being dismissed for something that might have been considered explicable from the point of view of a parent. During one investigation, when a woman referred to domestic abuse to which she had been subject, she was told by the investigation officer that he did not need to hear about her personal life because it would drag up emotions. Despite other people within the Service knowing about the allegations of domestic abuse and offering support, nothing seems to have been done to investigate, consider the impact it might have had on the woman's behaviour, address the domestic abuse and/or discipline the man. These double standards and lack of proactivity are troubling.

288. Related to this is a distinctive phenomenon we saw within the documents, especially in cases related to harassment, stalking and/or domestic abuse. This phenomenon is inappropriate sympathy and support extended to alleged male perpetrators, compared to the attitude demonstrated to their female victims or targets. It is more generally understood to be prevalent amongst people that value deference to authority and in-group loyalty, such as members of the Service. Its presence means such inappropriate behaviours are tolerated over time, thus allowing a damaging culture to develop. The Service needs to be mindful of this damaging tendency and make sure it does not continue.

289. There also appears to be a pattern within the cases that we saw of the Service showing leniency towards misconduct outside of work. Whether this is because of a desire not to encroach upon employees' personal lives, and an outdated view that what happens behind closed doors stays behind closed doors, or a sensitivity in relation to some of these subjects, which, inexplicably, remain somewhat taboo topics in some parts of

society, the Service cannot afford to take this approach for the reasons set out at paras.177-179 above.

290. There were also a number of cases in the past seven years where individuals accused of misconduct were permitted to resign or retire during a disciplinary or grievance process, whilst there were outstanding allegations against them. Whilst in a couple of those cases the Service went on to investigate and determine the outcome in any event, that does not seem to be the standard practice. This, again, allows misconduct and inappropriate behaviour to go unchecked and sends the wrong message to other staff, namely that misconduct will be brushed under the carpet. It also allows for the possibility that miscreants will go on to be employed in other fire services or public service roles, without the conduct having been addressed, and where the new employer is unaware of those behavioural traits, thus perpetuating the issue. We encourage the Service to carry out a full investigation and disciplinary process through to conclusion in each and every case where misconduct has been alleged, regardless of whether or not the individual leaves during the process, and make it clear that will be the case.

291. We understand that the Service is currently going through a period of transition and there has been an increased number of disciplinaries since the instigation of the Culture Review, which has provoked anxiety amongst employees. From what we have seen in the documents, the alleged conduct leading to those disciplinaries has warranted such action. We appreciate how stressful times of change may be for employees, but it is necessary for the Service to recalibrate and reach a new equilibrium in order to address the cultural problems that have developed over time. The combination of unclear standards and expectations, ineffective systems and procedures, and a lenient approach to discipline previously has led to the current position in the Service. The current reported anxiety levels should reduce once effective systems, policies and procedures are in place. We are encouraged by the introduction of the new Head of HR and the utilisation of an external HR consultancy in this respect, which seems to be getting things back onto an even keel, and ensuring that an impartial, balanced, and fair approach to discipline takes place.

f.   Interference with procedures

292.   We saw and heard about a number of cases where disciplinary and/or grievance procedures were circumvented or interfered with by senior managers, either before (or instead of) seeking HR involvement, or during the process itself. Cases which should have gone to HR and/or a full disciplinary investigation and/or disciplinary panel but did not, or cases that should have been met with dismissal but were not. For example:

(1)   we saw a number of cases of misconduct and/or grievance concerns where members of ELT or SMT stepped in to say that the matter would be dealt with informally and/or by way of management action, P12, or a verbal warning outside of process, precluding a full investigation and disciplinary process being carried out;

(2)   we also saw examples where members of ELT or SMT commenced or directed the commencement of an investigation before informing HR of the conduct in question;

(3)   we heard and saw examples of questionable and unexplained delays with regards to suspension decisions, which are made by members of ELT and SMT;

(4)   we heard of cases where managers told people to change their statements in order to protect others and/or the Service (which evidences a 'pack' mentality);

(5)   in other cases, members of ELT or SMT met before an investigatory interview and/or put together a list of questions for the Resolutions Officers to put to the individual, and/or decided that a further interview needed to take place at a later time;

(6)   we also saw a number of examples of written communications which might be suggestive of pre-determined outcomes and/or only paying lip service to the formal procedures.

293. Such practices undermine the validity of the systems in place to address such conduct, prevent consistency of approach, and send the wrong message to staff culturally. Senior managers need to respect and trust other specialists to be able to do their jobs. For example, all cases of poor behaviour and/or misconduct should have HR involvement, whether by way of guidance and support to managers or by way of formal processes. HR ought to be trusted to address issues of misconduct as they see fit in order to ensure a robust system is in place and that there is consistency of treatment. Equally, the Resolutions Officers ought to be trusted to investigate freely and fully in the manner they see fit without interference by others with regards to how to conduct the investigation, who to speak to and what to ask.

294. If senior managers continue to be permitted to use their position to take matters into their own hands, without seeking input and direction from others with more specialist expertise, the culture at the Service will remain a problem. If, however, a clear set of standards, expectations and procedures are put in place so that everyone knows what to expect, and those procedures are allowed to be effectively and consistently applied, people will begin to regain trust and confidence in the Service's systems, which it is currently lacking.

g.   Resources

295. The choices an organisation makes as to where to allocate resources can be a good indicator as to what is valued there. We were glad to see that the Service is increasing the resources it puts into EDI, and improving its culture. There had been a period during which there was only one individual responsible for this area of work; that seemed to us insufficient given what is required by way of equality assessments, policy developments, and training, as we explain in this Report.

296. The Service has done good work rolling out an e-learning EDI programme. However, such training methods have their limitations, particularly where the workforce is not predominantly desk-based. Since our Review has found significant gaps in the cultural awareness of the members of the Service, we suggest that the Service give

consideration to the allocation of resources to in-person and more targeted training than a blanket e-learning programme. We address this at paras.192-199 above.

297. We have noted elsewhere in the Report the good work that the Service has done investing resources in its occupational health provision, in mental health and well-being initiatives, and in building awareness about domestic violence (see, for example, paras.204, 301-306 and 224).

298. In terms of the allocation of resources for other types of training and professional development activities, we heard of instances when corporate staff felt that they had been given fewer opportunities to access external training and development than those afforded to operational staff. This may be an example of a tendency in the Service to overlook the contribution made by corporate staff, and to fail to reward it. We also heard of one manager having said that they would not invest in up-skilling people because then they would leave the Service for another job elsewhere. This is damaging and short-sighted.

299. We also heard that the Service is the lowest represented service at the Women in the Fire Service national event, despite the CFO being in favour of increased attendance and funding for the event. We were told that there were 45 applicants within the Service to attend the event, but due to delays in the process, the withdrawal of funding and the cutting of numbers, only four women ended up attending. Whilst we have been told by the Service that the decision on final numbers is not within the Service's gift, and the organisers allocate places based on availability, events such as this need to be on the agenda as a priority. If the Service wants to encourage the development and progress of women in the organisation, then it needs to show real commitment through adequate funding for, and increasing attendance at, such events if possible.

300. Finally, corporate staff expressed to us their sense of unfairness in relation to their treatment during the Job Evaluation process. While such exercises are often controversial and individually disappointing, we noted that the experiences of corporate staff related to us were consistent with a wider sense of a lack of

appreciation in the Service of their knowledge, skills, and experience as against those with operational roles. This was also reflected in the process that was followed, which, again, suggests a problem with the systems the Service has in place to address such matters. We address the impact of the Job Evaluation on morale at para.105 above.

h.   Health and well-being

301.   The occupational health provision in the Service – for mental and physical health – is excellent (see, for example, para.204 above). Physical injury is a significant reality of life in the Service, and, we understand, is the biggest cause of sickness absence within the Service.   We discuss issues with regards to the approach of attendance management elsewhere in the Report (see, for example, para.361 below), but we do not see a particular culture issue in relation to physical health and, therefore, say no more about it here.

302.   The provision for meeting the mental health needs of members of the Service is varied and good. In addition to occupational health, there are a number of other features of the Service that are well-informed and effective. There is good awareness across the Service of how and why mental health problems might arise for members of the Service, and the importance of addressing them. As a result, we got the impression that the unjustified stigma that can sometimes exist in relation to mental health problems has improved a great deal within the Service in more recent years. Mental health issues are addressed in early training, and that helps to develop the positive culture that exists. As those who have had such training at the start of their time in the Service progress, there are likely to be increasing benefits to this provision across the Service.

303.   There is good peer support between firefighters within their watches, particularly after dealing with potentially traumatising incidents, which we have described at paras.117-120 above. The Service's system of flagging firefighters who have been involved in a series of more serious incidents and pro-actively checking in with them is good. Some

members of the Service criticised this system as being too impersonal, but, overall, our view is that the benefits of such a system outweigh this possible criticism.

304. Leaders in the Service are aware that those coming into the Service may have pre-existing mental health vulnerabilities, together with difficulties arising from their work. These difficulties are often addressed effectively because of the generally good provision that we have described. However, when members of the Service use dysfunctional coping mechanisms for their mental health problems such as alcohol, drugs, and interpersonal violence, as we have discussed at paras.160, 162 and 254 above, on a number of occasions insufficiently prompt and decisive action has been taken. There has sometimes been a failure to strike the right balance between sympathy for the individual who has the problem, and addressing the serious impact their dysfunctional behaviour has on others. We saw evidence of this in the disciplinary records that we reviewed, as we described at paras.273-289.

305. There is good awareness of neuro-diversity in the Service. As we have discussed at paras.224 and 353, the initiatives started to address the needs of the neuro-diverse, and ensure that they can make their best contribution to the Service, are good. However, these initiatives need fully to be implemented and integrated for all their benefits to be enjoyed by individuals and the Service as a whole in terms of a fully-enabled workforce. For example, a working from home policy, which we have discussed at paras.108-110, should take into account the needs of those who are neuro-diverse.

306. Leaders in the Service are right to take pride in their well-being initiatives. However, the effectiveness of these initiatives can be undermined by the deficiencies in how the Service functions, for example, those behaviours which reduce trust and confidence in colleagues and systems, which we discuss throughout this Report.

307. Although the Service's mental health and well-being provision is generally good, members of the Service do take their own lives. Tragically, a firefighter lost his life this way during the Review. We send our condolences to the firefighter's family and colleagues. Every suicide profoundly affects those who are left behind, and they should

all be recognised and supported. We know that members of the ELT understand this well. We are also aware of instances of attempted suicide within the Service, which also have a profound impact on the individual, their family and friends. The Service, like all agencies, whether employers or service providers, should be focused upon achieving a situation where there are no suicides or attempted suicides.

i.   Communication and transparency

308.   The SWFRS suffers from an overarching communication and transparency deficit. Problems with communication and transparency permeate many aspects of this Report. There is a general trend of poor internal and external communication, and a lack of transparency across the Service.

Communication within the Service

309.   Internal communication is inadequate across the Service, but especially as between senior leadership and middle management, from leadership to frontline firefighters, as well as between operational and corporate staff. There is simply not enough communication. Too few messages are communicated down the chain, and important information is not often communicated in a timely manner (or at all) up the chain. This is a systemic problem.

310.   In terms of communication down the chain, reliance is placed on a regular written bulletin, which is circulated to all staff. Whilst perfectly appropriate within a suite of communication tools, by itself it is not adequate. There is no guarantee it will be read, and it offers no opportunity to proactively engage with it (by asking questions, for example).

311.   Principal officers' visits are intended to facilitate communication both up and down the chain. They are intended to be an opportunity for frontline operational staff to raise any issues that they would like with senior leaders, and for the senior leaders to address any matters they wish to in turn. We have been concerned to hear that many

operational staff have no confidence that any issues raised by them will be fairly considered, let alone acted upon.

312. Whilst we have heard of some commendable principal officers responding openly and effectively to issues raised at principal officer visits, generally, principal officer visits are not being conducted well enough (see para.78 above).

313. We have heard of principal officers behaving in a defensive manner when any issue is raised which is implicitly or explicitly critical. We have also heard of individual operational staff feeling targeted for speaking out, and being warned by other more senior middle managers not to upset the principal officers or face consequences for their career. In one alarming example related to us, a principal officer apparently wrote a damaging email to occupational health expressing concerns for the watch and public safety in respect of a firefighter who raised a legitimate concern regarding public holidays in strong terms. We are also aware from the documents of another example of a principal officer raising concerns about an individual's mental health when challenged by that individual, which suggests it is not an uncommon practice.

314. Widespread experience of principal officer visits has stoked the 'keep your head below the parapet' mentality that pervades the Service. There is a lack of open and robust debate, and an element of blind resistance on the part of senior leadership to hearing anything critical. This stymies positive change.

315. Practically speaking, we understand that, during the Covid-19 pandemic, television screens and webcams for teleconferencing were installed at a number of stations. We have heard that these facilities have been underutilised, and could be used to expand the type and extent of communication across the Service.

External communication

316. Communication from members of the Service to the public, in their capacity as representatives of the Service, takes a variety of forms. From physical events conducted on stations, or out in the community, to social media posts, the Service generally seems

to communicate well on issues central to its core functions, such as fire safety and recruitment.

317.   However, there is a lack of consistency in approach in some external communication conducted on social media by individuals within the Service, including by senior leadership as well as operational frontline staff. We address the use of social media by members of the Service generally at paras.164-175 above.

318.   In broad terms, there appears to be a general over emphasis on external social media communication, without sufficient corresponding attention to internal communication. There is a perception that projecting a particular picture of the Service, cultivated through social media such as X (formerly known as Twitter), matters more than engaging with members of the Service.

319.   An important facet of external communication is communication with traditional media, such as broadcasters and print journalists. How the Service engages with, and is presented by, traditional media can have an important impact on Service morale.

320.   In this regard, a number of comments were made during the Review in relation to the CFO's ITV interview on 13 December 2022. Many people expressed to us a loss of trust and confidence in the CFO, due to their perception that the CFO lied during that interview regarding what he did and did not know about the disciplinary case referred to. Whilst we take the view that the CFO did not lie during that interview, we do think that he was ill-prepared for it, which placed him in a precarious position when challenged live on air. In turn, that has allowed for the development of a damaging perception of him. This demonstrates the importance of being selective about, and properly prepared for, media engagements.

321.   Communication with media is not just communication with the public, it is communication with members of the Service. The importance of maintaining trust and confidence *within* the Service needs to be taken into account in all engagements with the media. This means engaging with the media in an open but careful way, that minimises the risk of creating a perception of compromised integrity.

Transparency

322. A lack of transparency was one of the most frequently made complaints about the SWFRS culture. It is a systemic problem. In general terms, senior and middle leadership are often not sufficiently open about how, what, and why decisions are taken. We have referred, for example, to informal decision making at para.82 above, and to inappropriate interference with procedures and decision making at paras.292-294 above. We have also had direct experience of this during the Review, which supports our conclusions in this respect. There is a lack of engagement and explanation, as well as a resistance to challenge and criticism. We address the problems that the lack of transparency causes in respect of specific issues, such as promotion, above.

j.   Trade unions

323. All or almost all the operational members of the Service are also members of the Fire Brigades Union ("FBU"). The Union is a powerful force in the Service. The ELT of the Service makes decisions keeping in mind the potential reaction of the Union. The Union therefore has a significant role to play in the culture of the Service.

324. The Union has taken some steps towards understanding and acting upon cultural problems in the Service. However, despite its efforts to modernise, we are concerned that the Union's commitment to representation of its members in disciplinaries involving cultural breaches, and its resistance of the dismissal of a member, may tend to reinforce the Service's cultural problems.

325. The Union also seems to favour education over discipline in respect of the cultural failings of its members.   Whilst, of course, education is important, so is discipline. Certain behaviour, such as domestic violence, or the making of racist or sexist statements, should be understood to be wrong, without the need for training. If such behaviour is allowed to be excused on the grounds of ignorance of proper standards, it will be harder to eradicate it; the correct message is, and should be, that such behaviour is intolerable. That message should be propagated consistently in the words and actions of both the Service and the Unions. While there may be questions, which

we consider at paras.192-199 above, about the adequacy of the EDI training in the Service, it cannot be said that members of the Service are wholly ignorant of what behaviour is required. We are concerned that over-emphasis on the part of the Union on the lack of training as a defence to misconduct allegations sends the wrong message to staff, resulting in a failure to take responsibility for their actions.

326. The Union also took an oppositional stance to the Service's Safe Haven policy, which was initiated in response to the murder of Sarah Everard by a police officer. The Union put forward the argument that encouraging women or vulnerable people to use a fire station as a safe haven from violence, for example while the assistance of the police was sought, put firefighters at risk. While the Union might have had reason to be aggrieved at a lack of consultation before the introduction of the policy, we were surprised by its reaction, which seems to be out of proportion to the relative risks to women and vulnerable people, as compared with firefighters.

327. The Union also seems to have the same partial understanding of the impact of women's health on their ability to carry out their work that we heard from members of the Service on stations (see para.218 above). For example, some members of the Union seem to have taken from information given to them about the menopause that it renders women less capable, rather than appreciating that women who have difficulties because of their menopause usually only require reasonable adjustments to enable them to continue to work effectively.

328. The Union told us that it blames the ELT for the cultural problems in the Service, but, in our view, the Union itself has an important part to play. The Union, if it chose to be, could be a strong agent in support of cultural change in the Service in the interests of all its members, provided it also sends the right cultural messages, and calls out culturally inappropriate behaviours. Every single member of the Service has a part to play in effecting cultural change.

k.   Governance

329.   A number of the people we interviewed raised the question of whether the governance of the Service contributed to its cultural problem. They asked whether the membership of the Fire Authority was sufficiently knowledgeable and authoritative to secure cultural change from the Service.

330.   Having Reviewed the Statutory Framework, we take the view that there are sufficient legal structures in place for effective governance of the Service in relation to issues of culture. If the Welsh Ministers or the Chief Fire and Rescue Advisor and Inspector for Wales want a change, then they have the legal power to require it through the Fire Authority.

331.   We see from the Authority's minutes that it has engaged with HMI's report and its recommendations. We also noticed that the Authority did not approve all the steps sought by the CFO during the time of our Review. This suggests that it does exercise its powers.

332.   It is vitally important, however, that the Fire Authority not only exercises its control mechanisms, but also sets the example of the culture that it wishes to see in the SWFRS.

12. Protected Characteristics and other Relevant Characteristics

a. Sex

333. As explained throughout the Report, we find that a patriarchal mentality exists within the Service, which manifests itself in the sexist and misogynistic behaviours that take place, including (but not limited to): the objectification of women; inappropriate sexual comments and sexual innuendo; inappropriate messaging; sexual advances, and a negative response to rejection; predatory behaviour; an unfounded lack of confidence in the ability of female firefighters to do the job; the feeling that women are 'out to get the men' with, for example, comments like "*are you going to put that in your little [black] book*"; and other casual sexism more generally (see, for example, paras.85, and 157-160 above). We have also seen the salutations in emails as "*Gents*", which demonstrates the unreflective sexist mindset that exists. Even if all of the recipients are male (which was not always the case in the evidence we saw), the use of such language is excluding and outdated, and needs to stop.

334. We also heard an example of a conversation taking place on station where someone was questioning a reference to 'toxic masculinity' in a newspaper and someone else responded: "*it's when they bloody tell us that men can't be men*". They went on to refer to the "*snowflake brigade*" and the "*PC brigade*" and said "*it's all a load of shit*" and "*we should be able to do what we want*". This type of conversation is clearly inappropriate, demonstrates a lack of awareness, and a resistance to change. The people involved in the conversation were in their 20s. Nobody called it out. Culture comprises the behaviours that are tolerated, and this is a stark example of how culture breeds culture.

335. We are also aware of sexist comments being made by women about women in the Service, for example "*you look like a pair of sluts*".

336. All of the abovementioned behaviour is disrespectful and demoralising for women. Again, it needs to stop.

337. Given the close-knit familial relationships that exist within the Service, there is a danger that the boundaries between professional and personal life become blurred and standards of what is appropriate workplace behaviour become compromised. This, in turn, encourages the uninhibited behaviour that exists, as described above. That is not to say that such close-knit bonds are problematic; on the contrary, they can be very positive, provided that appropriate boundaries are properly enforced.

338. Much of the abovementioned behaviour is to an extent a by-product of the low numbers of women within the Service. We heard of all male watches and how men can feel particularly awkward about or sensitive to the introduction of a female member of staff. On the other hand, however, we also heard positive stories of how men's behaviour had improved by having a female firefighter on the watch. Whilst it is not for the women to educate the men, if men have never or rarely worked with women then they may not appreciate what is and what is not appropriate behaviour at work.

339. We also heard of inadequate facilities for female staff at operational stations and the Training Centre. For example, we are aware of female and male changing lockers located next to each other, males using female toilets, and, until relatively recently, shared dormitories. The Service needs to take steps to ensure that its facilities are truly inclusive, and that they provide safe and comfortable places for women to work.

340. On the plus side, however, we are encouraged by the fact that the Service has recently introduced the Menopause Policy and by the support offered to staff going through the menopause, which ought to continue.

341. Finally, and worryingly, we are aware of a number of cases of domestic abuse by members of the Service, making such behaviour more prevalent than we anticipated. Whilst there is some excellent work done by the Service in relation to domestic violence and the safety of women and children (as described at para.224 above) and we note that the Domestic Abuse and Sexual Violence Workplace Policy includes some good advice to managers for dealing with such issues (albeit the policy could be clearer

with regards to it also covering such conduct outside of work), the fact that a number of the Service's employees are, themselves, involved in situations of domestic abuse suggests that the Service is not doing enough to stamp out such behaviour amongst its own staff who are perpetrators, and support its staff who are victims. Related to this is the phenomenon that we saw within the documents, which we describe at para.288 above.

b.   Pregnancy, Maternity and Childcare

342.   We heard positive stories of the support received by pregnant members of staff during their pregnancies and/or during maternity leave. We are also aware, however, that no training is provided for managers on the Family-Friendly policies in place and/or how to speak to pregnant women, and no maternity uniform exists. We are also aware that there is no support system in place for women returning from maternity leave – for example, there is no maternity support network for women and managers to seek advice, guidance and general support. These are simple matters that can easily be addressed by the Service to make the workplace more inclusive for pregnant mothers.

343.   We are encouraged by the Family-Friendly Policies in place, which include provision for maternity leave, breastfeeding, assisted reproduction, adoption leave, paternity leave, shared parental leave, parental leave, care of dependants' leave ("CDL"), and flexible working. However, work can be done to improve them further. For example:

(1)   we note that in the Family-Friendly procedures, the Paternity Leave section is at Part 2 ahead of the Maternity Provisions. Whilst a small point, from an EDI perspective this sends a message that the father or partner is more important than the pregnant mother. We would ordinarily, and logically, expect the maternity provisions to come first;

(2)   whilst the definition of "new and expectant mother" in the Maternity Provisions includes those that are breastfeeding, this could be made clear throughout the policy. Also, whilst there is a specific section on breastfeeding at para.8, it is not

clear whether risk assessments are in fact conducted for breastfeeding mothers in practice. They should be given the nature of the work;

(3)   equally, there is provision for a health and fitness review and re-familiarisation training for those returning to work and/or returning to normal duties after they have finished breastfeeding. Again, we did not see evidence of this in practice as part of the Review, but encourage the Service to have clear systems in place for this, together with a clearly documented audit trail;

(4)   we note in the Paternity Leave provisions there is an erroneous suggestion (in the note after para.6.3) that the entitlement to Parental Leave is reduced by the time taken on Paternity Leave. This is incorrect – the entitlement to Parental Leave is in addition to, and not affected by, Paternity Leave. Accordingly, this should be removed;

(5)   we also note that the CDL policy has not been updated in line with a recommendation in this respect following a grievance outcome in the first half of 2022;

(6)   finally, we were told that the Family-Friendly policies offer limited support. We have been told that male firefighters can get 12 months' full pay if they injure themselves whilst playing rugby for the Service, but women do not get 12 months' full pay when they have had a baby. The Service should consider whether it can improve its offering in this respect in order to attract and retain more female members of staff.

344.   We were also told of an example whereby absence following a miscarriage was pulled up as meeting absence trigger points. This is particularly insensitive and demonstrates a lack of awareness and compassion. We note that, whilst the policy on Maternity Provisions makes it clear that pregnancy-related illness will not count towards absence trigger points, it is not clear that absence resulting from pregnancy loss will not count towards absence trigger points. This ought to be the case and should be made clear in the policy.

345. We were also told that the changes to the on-call requirement in 2015/2016 require retained firefighters to be available every hour that they are not working in primary employment, and that this has a disproportionate impact on women with childcare responsibilities. We understand that there is a significant drop-off of women on the Retained Duty System once they have childcare responsibilities because of the lack of freedom and flexibility in the hours they can be available. Again, this has an impact on the recruitment and retention of female members of staff. The Service should look into this requirement and consider whether more flexibility can be allowed.

346. As a male-dominated workforce, there remains a stereotypical assumption that female members of staff are the primary care-givers in respect of children. This, in turn, manifests itself in comments to female employees regarding their childcare responsibilities, and how their work has an impact on those obligations. Again, this is a by-product of the sexist mentality described above. It is for a woman to decide how she wishes to manage her work and personal circumstances and there is no place for any comment or challenge from anyone else in this respect. The Service's employees should refrain from questioning women in this respect, especially in relation to promotion opportunities, as it leads to actual and perceived barriers being put in place with regards to the career progression of women.

c. **Sexual Orientation**

347. Generally, we heard that non-heterosexual people are included and supported within the Service, especially at watch level. In particular, we heard a positive story of acceptance and support with regards to a female firefighter who is a lesbian, especially when compared to the treatment she received from the organisation where she previously worked.

348. However, we also heard of the casual use of homophobic comments and 'banter' that has the potential to cause offense and create an exclusive workplace atmosphere whereby people may not feel comfortable revealing their sexuality and/or sexual orientation, and/or may not join the Service as a result. This is demonstrated by the

results of the Walking the Talk survey, which found that people that identify themselves as part of an under-represented group based on sexual orientation are amongst those that are more likely to experience or witness inappropriate behaviours.

349. The differences in perception and the operation of the concept of offence is aptly demonstrated by one particular example we heard during the Review. We were told that a photograph of a gay member of staff was put on a fairy and placed on top of a Christmas tree. This was at a time when he was absent from the Service and he considered this to be a sign of endearment, affection and support, and far from an offensive action. Another individual, however, found this to be offensive and inappropriate conduct related to sexual orientation. This demonstrates that what one person considers to be a completely innocent act may, nevertheless, offend someone else and, therefore, may be caught by the concept of harassment in the Equality Act 2010. A suggestion that people ought not to be so sensitive (which we have heard about in respect of other examples of discrimination) is inappropriate; it demonstrates a lack of respect for other people, their thoughts and feelings. Members need to be more mindful of their words and actions and how they may affect everyone, not just the person they are aimed at. Any conduct or comments that are made because of, or related to, a protected characteristic, or which could reasonably be so considered, ought to be avoided. In that case, for example, the photo might have been better placed on a bauble elsewhere on the tree, perhaps alongside baubles with photos of other members of the watch.

d.   Age

350. Whilst we are not aware of any direct examples of discrimination and/or harassment related to age, we are aware of the casual ageism that exists at times within the Service, and which is often excused as 'banter'. For example, calling older members of staff "*Gramps*" and/or comments to or by older members of staff such as "*senile*" or suffering from "*the manopause*". Whilst the people making or receiving these comments may not be offended by them, onlookers might. We also note that, in the Walking the Talk survey, 32% of those identifying themselves as being in an under-

represented group on the basis of age said they have not spoken up in the last 12 months, even though it was important to do so. This suggests that more people might be offended by age-related comments and conduct than they let on at the time. Accordingly, members of the Service need to be careful not to make any comments or jokes related to any protected characteristics, including age.

351. We were also told of the induction practices in relation to new recruits, referred to as "*Sprogs*", a term which we understand derives from the military. We understand that the practices used to be much more inappropriate than is currently the case, but the concept still exists in some places nonetheless. Sometimes "*Sprog*" is used as an affectionate term, but other times it is used to effectively justify bullying the new recruit into doing most of the menial tasks on station, or worse. The concept is outdated, has a disproportionate impact on younger members of the Service, and ought to be prohibited, along with the behaviour that accompanies it.

e.   Gender Reassignment

352. We note that the Service does not have a Gender Identity policy in place. We have, however, seen some helpful FAQs on the intranet to help people navigate this area of diversity. We would encourage the Service to put a policy in place.

f.   Disability

353. We were pleased to hear about the recent Neurodiversity Network initiative within the Service that was launched in 2022, and the production of 'Work with Me' passports. This is a positive step in the right direction. However, we also heard that, once a 'Work with Me' passport is in place, it can take some time to follow through on the recommendations and/or reasonable adjustments. This leads to increased frustrations amongst staff. Whilst the initiative is still in its relative infancy, proactive work needs to be done to ensure recommendations and reasonable adjustments are implemented as soon as practically possible and individuals are kept informed as to the steps that are being taken in this respect.

354. The Service has also been particularly active with respect to other mental health initiatives in recent years. Whilst this is to be applauded and ought to be continued, these initiatives should always involve the input of the experts at occupational health. A collaborative approach, respectful of the knowledge, experience and expertise of those at occupational health, is needed to ensure these initiatives are effective and not just 'tick box' exercises.

355. Unfortunately, however, this commitment to mental health does not appear to be a view held by all in the Service. We saw in the documents reference to one manager having commented that they were *"fed up of management pussy footing around mental health"*. Negative comments such as this have the potential to undo the positive steps forward made in this area.

356. We are also concerned that the Service does not have a full grasp and understanding of the concept of reasonable adjustments under the Equality Act 2010. This is a complex area and appropriate advice should be sought to ensure there is no discrimination against employees that have a disability.

357. We note that the language and tone of the policy on Employment, Redeployment and Reasonable Adjustments under the Equality Act 2010 could be improved to make it more inclusive of the individual, and sensitive, not just dictating what the Service will or will not do. For example, it ought to include a clear procedure for consultation with the individual at every stage and consideration of their thoughts and feelings. References to ill-health retirement and dismissal ought to be the very last resort and not placed upfront in the policy – for example, the explanatory text should come before the text currently contained in section 1, and reference to *"the employee's future employment status"* at para.4.1.2 should be replaced with consideration of reasonable adjustments. Para.4.1 also contains unnecessary limitations (for example, on level of role, or category of role, or the number of times redeployment can be considered) which stand in the way of a fully considered approach to reasonable adjustments. The guidance on factors to take into account contained within Appendix 2 to the policy should also be revisited. Factors such as the value of the employee's experience and

expertise, and the employee's cooperation, are not relevant to whether or not it is reasonable to make an adjustment and could, themselves, be discriminatory. Finally, language such as "*…this will not be used as an automatic get out clause when considering adjustments*" and "*How much would it cost to recruit and train a replacement?*" are not inclusive, compassionate or cooperative. Such language sets the mindset and pits the Service against the employee from the outset. It puts the employee on the back foot and is unlikely to make them feel valued and supported.

358. It is also worth commenting specifically on para.4.1.h, which provides that: "*If at the time of considering redeploying an employee, there are no suitable vacancies, the Service is not required to create additional posts above its normal establishment to accommodate a disabled employee. However, the Service will give an undertaking to retain that individual supernumerary for a period up to one year or until a suitable vacancy arises which ever is the sooner. If after a year no suitable vacancies arise the employee's employment may be terminated either on the grounds of capability due to ill health or ill-health retirement under the relevant pension scheme.*" Whilst this is an attempt to do a positive thing by guaranteeing an extra year of employment where no suitable vacancies exist, it has created some tensions for the Service due to a poor approach to terminating employment at the end of the 12 month period and poor communications in this respect. For example, we heard of more than one example of an abrupt withdrawal of the position, without proper communication or consultation, at, or shortly after, the 12 month period. Such meetings have come to be known as "*purge meetings*".

359. Whilst the Service is under no obligation to create a role for an employee with a disability, if there are reasonable adjustments or adaptations that can be made to their role so that they can carry out that role, or other available redeployment opportunities that are suitable, then, whilst they can be kept under review to ensure they continue to remain effective, they should not be time limited. The Service should also take legal advice as to the correct procedure to adopt at the end of the 12 month period and the implications of such an approach from a discrimination perspective.

360. Working from home as a reasonable adjustment for someone with a disability or potential disability is also something which appears to have come into contention. There seems to be pressure to work from the office without due consideration of whether working from home would be a reasonable adjustment for any particular individual with a disability in the circumstances. The way such cases have been handled, the treatment of the individual, and the pressure placed on them, has lacked the appropriate understanding. It is also detrimental to morale and the overall culture in general. We deal with hybrid working more generally at paras.108-110 above.

361. We are also concerned by the approach taken by Attendance Management, which, in some cases, seems to be overly focussed on getting the person back to work as soon as possible, even when that might not be in the best interests of the individual. We are also aware of patronising comments, which makes an already difficult time even more difficult and stressful. This rather transactional approach is insensitive and counter-productive.

362. The Service would benefit from providing managers with proper training in this complex area.

g.   Race

363. We were surprised by the extremely low numbers of staff from an ethnic minority group, as referred to in para.62 above. We did not see any evidence of procedures, customs or practices disproportionately impacting upon people from an ethnic minority group (or indeed any particular protected characteristic, save for potentially disability as described above). However, given the low numbers, the data set is so small that any such impact is unlikely to be apparent in any event.

364. We understand that, in June 2020, the Service refused to publish a photo of its firefighters taking the knee in support of the Black Lives Matter movement. It was said that posting such photos might compromise relationships with the CFO, the Service, and the police given that the origins of the movement was associated with police brutality. This created upset because the more widespread view was that the photo

demonstrated a commitment to anti-racism, equality and diversity. A case was also raised that other fire services and police services had published photos of their members taking the knee, yet the SWFRS was resolute in its stance. We do not understand that stance and are concerned that such resistance sends the message that the Service is not truly committed to combating racism – silence and inaction can also be damaging in times of political and/or social unrest.

365. There are examples of racist behaviour and comments by members of the Service, even during the time of the Culture Review. This was both in relation to overt and direct racism, for example, racist abuse at a Chinese restaurant and urinating on the floor, as well as the use of casual racism, for example, use of the 'N-word' on one occasion in person on station, and on another occasion on social media. These incidents are all seriously reprehensible and show a fundamental lack of understanding of what is required. Making casually racist 'jokes' or comments fuels prejudice and discrimination even if that is not the intention. Such behaviour has a negative impact on people from ethnic minority groups and prevents the Service from being inclusive, contrary to its and the community it services long term interests. Such behaviour should not be tolerated.

366. We are also aware of inappropriate conversations taking place on station in relation to race and/or religion which, again, breeds discrimination and negatively impacts inclusion. For example, we heard of strongly held views in relation to Shamima Begum being expressed on station in response to a news story in front of the rest of the watch, which included new recruits that may be impressionable. We also heard that it is a common occurrence for negative comments to be made about "*immigrants*" and refugees crossing the Channel on boats. Such comments have no place in the workplace, especially within a public service. If the Service wants to be genuinely diverse and inclusive, it also needs to address such views and not just the overtly discriminatory comments directed at individuals, because the former tend to breed the latter.

367. Furthermore, we are concerned that the general objectification of women through comments and/or social media content, and casual conversations of and/or relating to sex and/or sexual innuendo as explained above, excludes women from particular races or religious backgrounds. This behaviour also needs to stop.

368. It is worth emphasising that race encompasses colour, nationality, ethnic origins and national origins. Given the inclusion of nationality and national origins, any discrimination or harassment in relation to any individual that is not Welsh, or favouritism towards Welsh people, or vice versa, is also unlawful. This includes discrimination or harassment towards English, American, European or Australian people, for example, by mimicking accents, words, or traditions, which is often forgotten.

h.   Religion or Belief

369. Whilst we do not have statistics from the Service with regards to religion or belief, 2% of those responding to the Walking the Talk online survey, or 10 people, identified themselves as being from an under-represented group because of religion or belief.

370. We did not read or hear of any direct negative experiences with regards to religion or belief, but the results of the Walking the Talk report suggest that people that identify themselves as part of an under-represented group based on religion or belief are amongst those that are more likely to experience or witness inappropriate behaviours at work.

371. We also heard of indirect experiences of inappropriate comments with regards to religion or belief that have the potential to cause offence and create an exclusive atmosphere. For example, the comments on news stories referred to at para.366 above.

372. We are also concerned that the general objectification of women through comments and/or social media content, and casual conversations of and/or relating to sex and/or sexual innuendo excludes women from particular religious backgrounds. If the Service

wants to become truly diverse and inclusive, then those open conversations amongst colleagues need to stop.

373. In order to improve diversity and inclusivity, the Service not only needs to correct the culture internally, but it ought also to reach out to religious leaders within the community and build stronger connections in order to better understand whether any barriers exist and how they can be removed.

i.   Marriage and Civil Partnership

374. We did not see or hear of any examples of discrimination because of marriage or civil partnership. We heard examples of comments having been made about people's wives, which would amount to sex discrimination and/or harassment related to sex.

j.   Caring responsibilities

375. Although having caring responsibilities is not a characteristic protected by statute, it is an important part of working life for many. For that reason, we have decided to consider it, as well as the characteristic of bereavement.

376. Some members of the Service have caring responsibilities, other than caring for young children. We heard from such members that they are usually able to combine these two roles, although, of course, their home lives are particularly demanding. We got the impression that the familial aspect of the Service helped with this, as well as the distinctive shift pattern. Generally, members spoke very positively of the support offered by the Service in relation to this area.

k.   Bereavement

377. We heard that the Service is well-attuned to the significance of bereavement in the lives of its members. There were impressive stories of the Service and its members going above and beyond to support those who had suffered loss. The Service is, therefore, sensitive to the impact of bereavement, and good at providing practical and

emotional support to those who suffer it. This is a particularly positive aspect of the 'family' characteristics of the Service.

378. It was also interesting to hear about the Service's great respect for and acknowledgement of the operational members of the Service when they pass away, particularly when they pass away while still employed. This aspect of the culture reflects the Service's pride in its work and sense of dignity in a firefighter's role. We would encourage the Service to build on this sense of pride and dignity, and expand it across all the members of the Service, operational and corporate, wholetime and retained, so that all are equally acknowledged, respected and appreciated for the contribution that they make.

I.   Occupational group or rank

379. Although these are not characteristics protected by statute, we were asked to consider them under our Terms of Reference. We heard of many instances of different treatment between uniformed staff and non-uniformed/corporate staff, as well as in relation to rank. We have set these out above.

380. We also often heard of a lack of regard for retained firefighters by wholetime firefighters. Retained firefighters said that they were sometimes treated as less able and skilled, even though some of them were very experienced, and all of them have been through a rigorous selection process.

381. Although we made efforts to obtain evidence about the experience of cleaners working for the Service, they were not very fruitful. The evidence we did find was positive. Walking the Talk heard from a cleaner that the firefighters were respectful and appreciative of the work they do. We got the impression that the same was true of the cooks working on stations during our interactions with them at station visits. Both were also regarded as part of the Service 'family' in a positive way.

13. Conclusion

382. We are grateful to everyone who engaged with the Review, and shared their thoughts and feelings with us. We were often impressed by the calibre of the people that we spoke to, their dedication and commitment to the Service, and the pride they take in serving the public.

383. The culture of the Service has, undoubtedly, come a long way in recent times, which is to be applauded. However, there is still a long way to go, and it will take a lot of hard work and dedication to get there.

384. We have set out our Recommendations below, and we hope that following them will help to address the problems we found.

385. We encourage everyone, inside and outside the Service, to take our Recommendations on board, shoulder their responsibilities, and work together to achieve the goal of a modern culture in the SWFRS.

FENELLA MORRIS KC

Independent Chairperson

3 January 2024

14. Recommendations

a. **Initial phase (1 – 3 months)**

Communications Action Plan	
1.	Internally and externally address report findings and recommendations in communications
2.	Use report and recommendations to start to build positive cultural change from the outset
3.	Devise an action plan with respect to these Recommendations, inviting staff input, particularly from under-represented groups, and communicate it to staff
4.	Provide regular monthly updates on plans for cultural change for, at least, 12 months
Values and Standards	
1.	Review and streamline statement of values, having particular regard to report and recommendations, including "professional, respectful, caring, accountable"
2.	Set clear behavioural standards, including examples of what is not tolerated
3.	Set culture targets, including examples of goals
4.	Demonstrate clear leadership commitment, including express public declarations (both verbally and in writing) relating to values, equality and diversity, standards and culture
5.	Campaign to make it clear that: sexual harassment of female members of staff through inappropriate comments and/or messaging on social media or otherwise is unacceptable, should be reported, will be investigated and will be disciplined; and the posting of sexualised images on social media of

	or by people associated with the Service, where they are identifiable as Service members, is forbidden
Leadership	
1.	Arrange independent review of ELT performance, to include advice on training required
2.	Pro-actively encourage external and non-uniformed applicants to SMT and ELT roles
3.	Involve independent body in all SMT and ELT appointments for, at least, the next 18 months
4.	All SMT and ELT staff sign conflict of interest declarations including reference to memberships of other organisations, family relationships or social connections; declarations to be published online, and updated when a new potential interest arises
5.	CFO to participate in disciplinary/grievance/whistle-blowing oversight committee meetings in the immediate term
Connecting People	
1.	Create safe spaces within the Service for staff to share experiences and views, and learn from each other
2.	Create networks within the Service to promote cross-sectional communication
3.	CFO to visit Joint Control Room, and Training Centre, engage with staff there, and write report on their culture and action plan to improve it

4.	Continue visits by Human Resources and Principal Officers to stations, including group discussions and 1:1 surgeries, and document follow up to issues raised at these visits
Speaking Up	
1.	Expressly refer to and encourage speaking up in actions under the headings Communications Action Plan, and Values and Standards
2.	As part of the policy review (see below), ensure inclusion of references to encouragement of, and responsibility to, speak up
3.	Support staff that speak up and keep them safe both at and outside of work, both in accordance with the National Framework (see para.30 of Appendix 2 to the Report) and more generally, including a zero tolerance approach to retaliation/victimisation
4.	Expand (if this is not already the case) the role of the disciplinary oversight committee to include grievances and whistle-blowing
5.	Continue Crimestoppers FRS Speak Up line, initiate appropriate investigations, take actions and record all of the same
6.	Exit interviews to be conducted by an independent person and/or someone from HR (not the individual's line manager), and appropriate investigations and actions are to take place in relation to any concerns raised, appropriately documenting all of the same
Policies and Procedures	
1.	Instruct specialist employment lawyers to review policies and procedures, and to assist in drafting a set which are clear and accessible
2.	Abolish P12s

Temporary Promotion	
1.	Pause use of temporary promotion for any period in excess of six months
2.	Immediate review of any current temporary promotion with record of reasons why, exceptionally, it should be permitted to continue beyond six months, and plan to end it

Fire Authority	
1.	Review their statutory functions, as set out in Appendix 2 to the Report, and publish a report on proposals for their use in order to facilitate these Recommendations

b.   **Second phase (3 – 9 months)**

Change management process	
1.	Ensure consultation with members of the Service at an early stage before change

Policies	
1.	Redraft all policies and procedures with the benefit of specialist legal advice, taking account of the comments made, for example, in the following paragraphs of the Report: paras.108-110 (working from home); para.152 (personal relationships at work); para.162 (drugs and alcohol testing); paras.187-191 (standards, policies and procedures); para.343 (family-friendly policies); para.352 (gender identity policy); para.357-359 (reasonable adjustments)
2.	Review proposed new policies and procedures with EDI officer
3.	Initiate staff engagement on proposed new policies and procedures, both directly and via Trade Unions

4.	Ensure compliance of policies and procedures with the law on equality, and national frameworks on violence against women and girls and on race
5.	Ensure the sending of a clear and unambiguous message of zero tolerance of harassment at work (especially sexual harassment), and comprehensive understanding of what amounts to harassment, throughout the Service
6.	Provide external training to managers on the new policies and procedures, including, in particular, training for all those involved in disciplinary and grievance processes on the identification of misconduct and the operation of those processes
7.	Implement new policies and procedures

Procedures	
1.	Engage external independent body to be part of disciplinary and grievance processes for, at least, the next 18 months
2.	Once a grievance or whistleblowing complaint is raised, agree with the complainant a list of issues to be addressed
3.	Ensure complainants are regularly updated on the progress of their grievance/complaint
4.	Appropriately investigate anonymous complaints and/or those with little detail, adequately document the same, and take appropriate action
5.	Provide template documents to guide managers through the things they need to consider in relation to, and record their reasoning for: suspensions, findings of fact on allegations of misconduct and grievance allegations, and disciplinary sanctions

6.	Ensure there is a full written grievance outcome which mirrors original grievance and/or addresses each issue in the list of issues agreed with the complainant so that that all allegations are addressed
7.	Ensure full written findings of fact and reasons for sanction in each disciplinary case
8.	When a member of the Service is involved in criminal conduct, ensure prompt internal action is taken, and ensure such action is selected having regard to the culture of the Service and the impact on internal and external trust and confidence of the alleged offending
9.	Aim to address all grievance and disciplinary cases within 1-3 months, including those where the individual leaves the Service's employment (whether through resignation, retirement and/or ill-health), and adequately document any reasons for delay outside of this timeframe

Recruitment and promotion

1.	Review fairness and transparency in promotion processes, and implement change
2.	Devise fair and transparent process for "acting up" in place of temporary promotion
3.	Ensure all vacancies are advertised swiftly, both internally and externally, including senior non-operational roles being advertised to both uniformed and non-uniformed members of staff
4.	Engage external independent body to be part of promotion and recruitment processes for, at least, the next 18 months
5.	Ensure at least one female member of staff and/or one member of staff from an ethnic minority group sits on each promotion/recruitment panel

6.	Consider whether the promotion and transfer lists should be published, and if a decision is made not to do so, record the reasons for the decision, and whether any other steps might be taken to improve transparency and confidence in the process
7.	Provide written feedback to all candidates for promotion and recruitment (including retained firefighters applying for the wholetime duty system)
8.	Reach out to religious and other leaders within the community and build stronger connections in order to better understand whether any barriers to diversity exist and how they can be removed
Training	
1.	Review training of new recruits, including explicit values and standards training
2.	Implement EDI training – in person and interactive – across the Service
3.	Roll out the training given to new recruits in relation to domestic abuse and sexual violence to all members of the Service
4.	Implement leadership training – its content to be informed by the performance review referred to at recommendation 1 in the 'Leadership' section of the 'Initial phase' above, but to include role-modelling, communication, transparency, self-reflection, accountability, and recognition of EDI at core of leadership
5.	Implement an equitable mentoring scheme across the Service, including external mentors for ELT and SMT, as well as specific mentoring for members from underrepresented groups to encourage career progression
6.	Set a training plan in accordance with para.198 of the Report, ensuring sufficient budget allocated for training goals

7.	Explicit values and standards training for recruits and those who work at the Training Centre
8.	Teacher training for instructors at the Training Centre, and fire cadet instructors, to include training in relation to the identification and prevention of bullying, harassment and inappropriate communications, and the positive communication of values and standards
9.	Consider appointing an EDI champion at each station or department
10.	Implement Work with Me passports' provision within a reasonable period of time

Human Resources

1.	Introduce effective document management system
2.	Review structure of HR and devise and implement more holistic structure
3.	Occupational health to be removed from HR function and to have its own Head of Service

Diversity Monitoring

1.	Encourage staff to provide accurate EDI information
2.	Institute two yearly EDI information collection

Staff review

1.	Seek disclosure of criminal convictions of all operational staff, and review in light of the role they have in the Service

2.	Identify specific individual at Training Centre to whom any new recruit or trainee may bring concerns in confidence, and publicise their name to anyone attending the Centre

c. Third phase (9 to 18 months)

Staff engagement	
1.	10KV Event, with follow-up action plan based on comments received
2.	Ensure ELT and SMT evidence how staff feedback is promoted, managed and acted upon in their area of responsibility
3.	Where leaders are not able to provide satisfactory evidence, provide targeted support for improvement
Leadership	
1.	Before the end of the 18 month period, follow up earlier performance review of ELT under the same headings (see recommendation 1 in the 'Leadership' section of the 'Initial phase' above), and carry out similar assessment of any new appointees
2.	Restructure corporate departments, with the assistance of independent external input, to ensure non-operational managerial roles are held by those with the best skills and experience for the role, whether uniformed or non-uniformed, and aim to improve diversity within such roles
3.	Seek and promote opportunities to work in a structure other than a command and control model
Facilities	
1.	Assess all facilities, equipment and uniform and take steps to ensure that it is fully inclusive based on all protected characteristics where possible

d.   Annually

1.	10KV Event for different sections of the workforce (not just managers), with follow-up action plan based on comments received
2.	External performance review of ELT
3.	Carry out compliance training in accordance with para.199 of the Report
4.	Culture assessment, possibly by external independent body, to track progress in relation to culture targets identified in initial phase, and review of need to modify targets

APPENDIX 1: Relevant extracts from His Majesty's Inspectorate of Constabulary and Fire and Rescue Services ("HMI") report on Values and culture in fire and rescue services in England

"We know that the culture in an FRS can be heavily influenced by the behaviour of individuals, including those in positions of senior responsibility …

It is vitally important that services promote equality, diversity and inclusion in the workplace to make sure they are as fair and diverse as possible. When equality, diversity and inclusion are incorporated well into a service, staff feel included, valued and able to speak freely. This creates a positive professional culture in which staff can provide a safe and effective service for the public.

…

Services must make sure that they are psychologically safe places to work in. This includes offering secure ways for staff to raise concerns and give feedback, without fear of repercussion and in the knowledge that concerns and allegations will be robustly investigated …

…

… in those organisations with a responsibility to keep the public safe, and where public trust and confidence are so important, it is right that higher standards are demanded …

…

… As Sir William Macpherson commented in the <u>*Stephen Lawrence Inquiry*</u>*:*

"The argument that there is some excuse for poor behaviour because the culture of the Service can only be expected to mirror that of wider society and its behaviours, since that is from where we draw our personnel, is simply specious. We demand exemplary conduct from those we employ."

…

… firefighters [are] the least ethnically diverse workforce … FRS should focus on more than just recruitment as a way of improving diversity. Making sure workplaces are inclusive for all and improving staff understanding of equality, diversity and inclusion will also help them to retain staff and to encourage those with talent and potential to progress through the organisation, irrespective of background. This is an essential building block to the cultural and behavioural improvements that are so clearly needed.

…

Services need honest staff feedback so they can identify areas for improvement and take appropriate action where misconduct allegations are concerned. If they ignore these problems, serious issues may go unnoticed and potentially get worse.

All staff – and particularly those in emergency service roles where the lives of both staff and members of the public are at risk – need reporting processes they trust as safe, without fear of any reprisals. They also need to know that their concerns will be taken seriously and investigated properly and that outcomes or sanctions will be appropriate.

…

There is no room in any FRS for someone who behaves inappropriately or perpetuates toxic cultures … some individuals who are assessed as suitable when they first join a service may become unsuitable later in their career. When this happens, services need effective systems to identify these individuals and, if necessary, dismiss them.

…

… we have found that services with leaders who are visible to their staff, lead by example and are open to challenge appear to have fewer bullying, harassment and discrimination issues …

…

In services with a clear understanding of discipline and grievances, promotions, retention and successful recruitment processes, a lower proportion of staff … indicated that they had experienced bullying, harassment and discrimination. These services provide good training, use equality impact assessments effectively and promote positive action while ensuring that staff understand it. Senior leadership teams are visible and consult with staff. These services also have a … positive health and safety culture.

…

Leadership and management training is an essential element of handling grievances, managing absences, conducting performance development Reviews and supporting the development and progression of staff.

… greater diversity improves performance and innovation.

…

It is important that FRSs reflect the diversity of the communities they serve to maintain public trust and provide a better service to the public.

…

… a lack of robust EDI training is directly linked to staff not properly understanding EDI … Some services rely heavily on e-learning rather than using face-to-face interaction and workshops which can be more beneficial for staff understanding.

…

As the staff in services aren't representative of the communities they serve, services must make sure they are receiving EDI training.

Positive action is misunderstood by many staff, and can lead to division.

… staff didn't understand the benefits of positive action … many staff incorrectly believed that the service lowers its entry standards to recruit individuals with specific characteristics …

… staff experiences of being treated fairly are dependent on their job type. Non-operational or on-call members of staff often report experiencing worse treatment than their operational or wholetime counterparts.

…

All staff should be treated fairly and with respect. They should be given the same opportunities, regardless of their role or rank.

…

… many staff … perceived [promotion processes] as unfair … Perceptions of nepotism are particularly apparent in services where there is no effective talent management in place …"

APPENDIX 2: The Legal and Policy Framework

The Fire Services Act 1947

1.   After the second world war, the Fire Services Act 1947 ("the 1947 Act") re-organised the provision of fire services within Great Britain. In 1941, a single 'National Fire Service' had been established, but the 1947 Act restored responsibility for the provision of fire brigades onto local authorities.

2.   The 1947 Act: (a) appointed county and county borough councils as "fire authorities",[3] and (b) imposed a duty on fire authorities to make provision for a fire brigade.[4] Specifically, under section 1 of the 1947 Act, fire authorities were responsible for securing:

> *(a)   the services for their area of such a fire brigade and such equipment as may be necessary to meet efficiently all normal requirements;*
>
> *(b)   the efficient training of the members of the fire brigade;*
>
> *(c)   efficient arrangements for dealing with calls for the assistance of the fire brigade in case of fire and for summoning members of the fire brigade;*
>
> *(d)   efficient arrangements for obtaining, by inspection or otherwise, information required for fire-fighting purposes with respect to the character of the buildings and other property in the area of the fire authority, the available water supplies and the means of access thereto, and other material local circumstances;*
>
> *(e)   efficient arrangements for ensuring that reasonable steps are taken to prevent or mitigate damage to property resulting from measures taken in dealing with fires in the area of the fire authority;*
>
> *(f)   efficient arrangements for the giving, when requested, of advice in respect of buildings and other property in the area of the fire authority as to fire prevention, restricting the spread of fires, and means of escape in case of fire.*

3.   These essential substantive requirements for a fire brigade set by the 1947 Act have changed relatively little in the decades since. They remain the baseline minimum

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[3] Fire Services Act 1947 (as enacted), s 4.
[4] Fire Services Act 1947 (as enacted), s 1.

service, upon which further obligations have gradually been added as the needs of the communities which are served have evolved and diversified.

4.   From 1947 onwards, the organisation of fire services in Great Britain was tied to the organisation of local government. Under section 6 of the 1947 Act, the Secretary of State could create combined fire authorities by secondary legislation, in which two or more local authority areas could combine to create a single fire authority.

The establishment of the South Wales Fire Authority and South Wales Fire Service

5.   The Local Government Act 1972 created new local government areas in Wales, with effect from 1 April 1974.[5] From that date on in south Wales, the local government areas and fire authorities became: Gwent, Mid Glamorgan, and South Glamorgan.

6.   The Local Government (Wales) Act 1994 ("the 1994 Act") re-organised local government areas in Wales again, into new counties and county boroughs (termed 'principal areas' within the 1994 Act). Section 23 of the 1994 Act also amended sections 4, 5 and 6 of the 1947 Act, so as to provide that a combination scheme may be made to make two or more principal areas into a single fire authority.

7.   The South Wales Fire Services (Combination Scheme) Order 1995 ("the 1995 Order") established the South Wales Fire Authority ("SWFA") or Awdurdod Tân De Cymru ("ATC"), and South Wales Fire Service ("SWFS") or Gwasanaeth Tân De Cymru ("GTC"). The 1995 Order combined all of the principal areas which were formerly in Gwent, Mid Glamorgan and South Glamorgan.

8.   The 1995 Order set out the constitution of the SWFA, providing for the appointment and terms of office of its members, and for meetings. In particular, it stated that the SWFA was to consist of not more than 25 members, and prescribed a process of appointment of members from the constituent local authorities.[6]

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[5] Local Government Act 1972, section 20 and sch 4, para 1.
[6] South Wales Fire Services (Combination Scheme) Order 1995, sch, Part III.

9.   The 1995 Order transferred:

   a.   the members of fire brigades maintained by Mid Glamorgan, South Glamorgan and Gwent county councils into the SWFS;

   b.   persons employed by those councils wholly or mainly for the purposes of the fire brigades maintained by them to the SWFA, and;[7]

   c.   all property, rights and liabilities held, or incurred by, Mid Glamorgan, South Glamorgan and Gwent county councils in connection with their provision of fire services to the SWFA.[8]

10.   Finally, the 1995 Order also established a combined fire service fund and provided for the administration of the SWFA's finances.[9]

Government of Wales Act 1998

11.   As part of the landmark devolution settlement, the Government of Wales Act 1998 conferred legislative competence for 'local government', including fire authorities for combined areas in Wales, to the then National Assembly for Wales.[10]

The Fire and Rescue Services Act 2004

12.   The Fire and Rescue Services Act 2004 ("the 2004 Act") was the first major overhaul of fire and rescue services in England and Wales since 1947. The 2004 Act largely repealed the 1947 Act. It implemented the UK Government's response to Sir George Bain's comprehensive independent review of the fire service, which was published on 16 December 2002.[11]

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[7] South Wales Fire Services (Combination Scheme) Order 1995, sch, para 23.
[8] South Wales Fire Services (Combination Scheme) Order 1995, sch, para 26.
[9] South Wales Fire Services (Combination Scheme) Order 1995, sch, Part IV.
[10] Government of Wales Act 1998, section 113 (7); schedule 2.
[11] Fire and Rescue Services Act 2004 Explanatory Notes, paras 6-7.

13. The 2004 Act devolved the remaining responsibilities for fire and rescue authorities in Wales to the then National Assembly for Wales. The effect of sections 1, 2 and 4 of the 2004 Act was that the combined South Wales Fire Authority became the South Wales Fire and Rescue Authority, and consequently, the South Wales Fire Service became the South Wales Fire and Rescue Service – the one we see today.

Functions of fire and rescue authorities

14. The 2004 Act provides that fire and rescue authorities have two sets of functions: (a) "core functions" (sections 6-9) and (b) "other functions" (sections 10-12).

15. The core functions are:

    a. <u>Fire safety (section 6)</u>: A fire and rescue authority must make provision for the purpose of promoting fire safety in the authority's area. A fire and rescue authority must, in particular, to the extent that it considers it reasonable to do so, make arrangements for: (a) the provision of information, publicity and encouragement in respect of the steps to be taken to prevent fires and death or injury by fire; (b) the giving of advice, on request, about – (i) how to prevent fires and restrict their spread in buildings and other property; (ii) the means of escape from buildings and other property in case of fire.

    b. <u>Fire-fighting (section 7)</u>: A fire and rescue authority must also make provision for the purpose of extinguishing fires in its area, and protecting life and property in the event of such fires. In particular, the authority must secure the provision of the "*personnel, services and equipment necessary efficiently to meet all normal requirements*", and to "*secure the provision of training for personnel*".

    c. <u>Road traffic accidents (section 8)</u>: A fire and rescue authority must make provision for the purpose of (a) rescuing people in the event of road traffic accidents in its area; and (b) protecting people from serious harm, to the extent that it considers it reasonable to do so, in the event of road traffic accidents in its area. In particular, and as is the case for fighting fires, the authority must also

secure the provision of personnel, services and equipment, as well as training for personnel.

d. <u>Emergencies (section 9)</u>: The 2004 Act gives Welsh Ministers[12] the power to add to the core functions of a fire and rescue authority, relating to emergencies, other than fires and road traffic accidents. The Welsh Ministers exercised that power to make the Fire and Rescue Services (Emergencies) (Wales) Order 2007 SI No 3193, which obliged fire and rescue authorities in Wales to make provision for other types of emergencies, including (for example) chemical, biological, radiological or nuclear emergencies, rescue and protection in the case of flooding and inland water emergencies.

16. A fire and rescue authority's other functions are broadly defined. A fire and rescue authority has the power to respond to "*other eventualities*", not covered by the scope of its core functions. In particular, it can take "*any action it considers appropriate*" in response to an event or situation that causes, or is likely to cause, one or more individuals "*to die, be injured or become ill*", or "*harm to the environment*".[13]

17. In addition, a fire and rescue authority may also lend the services of any persons employed by it or any equipment maintained by it to any person for any purpose that appears to the authority to be appropriate.[14] For example, a fire and rescue authority may agree to help pump out a pond as a service to its community.[15]

18. A fire and rescue authority may also establish and maintain one or more Training Centres for providing education and training in matters in relation to which fire and rescue authorities have functions.[16]

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[12] The power of the Secretary of State under section 9 was, in relation to Wales exercisable by the National Assembly for Wales by virtue of section 62. That power is now vested in the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).
[13] Fire and Rescue Services Act 2004, s 11.
[14] Fire and Rescue Services Act 2004, s 12.
[15] Fire and Rescue Services Act 2004 Explanatory Notes, para 30.
[16] Fire and Rescue Services Act 2004, s 18.

19.	A fire and rescue authority has wide powers to do anything it considers is appropriate for purposes even indirectly incidental to its functions (section 5A). However, there are some express limitations imposed on the powers of fire and rescue authorities. For example, a fire and rescue authority cannot borrow money (section 5B).

Oversight of fire and rescue services

20.	The 2004 Act makes provision for the supervision of fire and rescue services. It provides for the appointment of: (a) inspectors by Her Majesty by Order in Council, and (b) assistant inspectors and other officers by the Welsh Ministers. The purpose of the appointments is for obtaining information as to the manner in which fire and rescue authorities are discharging their functions, and technical matters relating to those functions.[17]

21.	The Fire and Rescue Services (Appointment of Inspector) (Wales) Order 2019 SI No 1504 appointed the current inspector.

22.	Moreover, a fire and rescue authority must (a) submit to the Welsh Ministers any reports and returns required; and (b) give the Welsh Ministers any information with respect to its functions required.[18]

The Wales Fire and Rescue National Framework

23.	Section 21 of the 2004 Act obliged the then National Assembly for Wales to consult on, and prepare, a 'Fire and Rescue National Framework' ("the National Framework"). Section 21(2) stated that the National Framework:

>	*"(a)	must set out priorities and objectives for fire and rescue authorities in connection with the discharge of their functions;*
>
>	*(b)	may contain guidance to fire and rescue authorities in connection with the discharge of any of their functions;*

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[17] Fire and Rescue Services Act 2004, s 28(1)-(3).
[18] Fire and Rescue Services Act 2004, s 26.

> *(c)   may contain any other matter relating to fire and rescue authorities or their functions that the Secretary of State considers appropriate."*

24.   Fire and rescue authorities must have regard to the National Framework in carrying out their functions.[19]

25.   The first National Framework was given effect by the Fire and Rescue Services (National Framework) (Wales) Order 2005 SI No 760 ("the 2005 Order"). The National Framework was subsequently significantly revised in 2008, as brought into effect by Fire and Rescue Services (National Framework) (Wales) Order 2008 SI No 2298, and then again in 2012, pursuant to the Fire and Rescue Services (National Framework) (Wales) Order 2012 SI No 934.

26.   The current version of the National Framework (entitled "The Fire and Rescue National Framework for Wales 2016") was published by the Welsh Ministers in November 2015, and given effect by the Fire and Rescue Services (National Framework) (Wales) (Revision) (No. 2) Order 2015 SI No 1991. The National Framework was designed so that following it will support compliance with the Well-being of Future Generations (Wales) Act 2015, which had been passed in March 2015.

27.   In summary, the key provisions of the National Framework are:

   a.   <u>Overriding aim</u>: The overriding aim of the fire and rescue authorities in Wales is *"to keep people, communities, businesses and the environment in Wales safe from fires and other hazards as effectively and efficiently as possible."*[20]

   b.   <u>Key objectives</u>: The key objectives for fire and rescue authorities are: (1) continually and sustainably reduce risk and enhance the safety of citizens and communities; (2) respond swiftly and effectively to incidents, (3) being clearly and publicly accountable for delivery and funding, manifesting the highest standards of governance, (4) maintaining downward pressure on costs and

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[19] Fire and Rescue Services Act 2004, section 21(7).
[20] The Fire and Rescue National Framework for Wales 2016, p 4.

taking all opportunities to realise efficiencies, (5) to work effectively with partners to improve efficiency and citizen and community well-being, and (6) valuing and developing the workforce to the highest standards.

28.   In relation to the last key objective, of valuing and developing the workforce to the highest standards, the National Framework makes the notable following provision (in summary):

a.   All fire and rescue authorities should provide support to firefighters to maintain and regain operational fitness in line with their capability plans or relevant health and fitness policy.[21]

b.   Fire and rescue authorities should consider how far their structures, cultures and values support and sustain the softer skills necessary to engage with the public, and provide support for vulnerable people, across the workforce, and should initiate programmes of organisational development as appropriate.[22]

c.   Diversifying the composition and capability of the workforce must be the key driver for all fire and rescue authorities moving forward, although the Framework states that should not be at the expense of maintaining responsive capability.[23]

29.   The National Framework cross refers to the Welsh Government's National Training Framework for Violence against Women, Domestic Abuse and Sexual Violence, which seeks to provide a consistent standard of training for public sector and specialist service provider professionals, including fire and rescue authorities.

30.   The National Framework specifically obliges fire and rescue authorities to ensure that their employment practices universally support staff who disclose abuse by acting to keep staff safe at work and supporting them to stay safe outside work. The National

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[21] The Fire and Rescue National Framework for Wales 2016, paras 6.1-6.2.
[22] The Fire and Rescue National Framework for Wales 2016, paras 6.3-6.6.
[23] The Fire and Rescue National Framework for Wales 2016, paras 6.7-6.8.

Framework also states that staff should be briefed on this, and this message should be repeated to staff regularly.[24]

31.   Under section 25 of the 2004 Act, the Welsh Ministers must monitor, and report on, the extent to which fire and rescue authorities are acting in accordance with the National Framework. Welsh Ministers must also report on any steps taken by them for the purpose of securing that fire and rescue authorities act in accordance with the National Framework. The most recent formal progress report was published in February 2020, and the Minister made an updating written statement on 1 April 2022.

Local Government (Wales) Measure 2009

32.   The Local Government (Wales) Measure 2009 ("the 2009 Measure") overlays a regime for improvement, inspection and audit of fire and rescue authorities.

33.   Under sections 1 and 2 of the 2009 Measure, a fire and rescue authority must make arrangements to secure continuous improvement in the exercise of its functions. In discharging that duty, the authority must have regard in particular to the need to improve the exercise of its functions in terms of (amongst other things) "*fairness*".[25]

34.   A fire and rescue authority improves the exercise of its functions in terms of fairness, if (1) disadvantages faced by particular groups in accessing, or taking full advantage of, services are reduced; or (2) social well-being is improved as a result of the provision of services or the way in which functions are otherwise exercised.[26]

35.   Section 8 of the 2009 Measure provides Welsh Ministers with a power to specify, by order: (a) 'performance indicators', by reference to which a fire and rescue authority can be measured, and (b) 'performance standards' to be met by Welsh improvement authorities in relation to the performance indicators.

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[24] The Fire and Rescue National Framework for Wales 2016, paras 6.6.
[25] Local Government (Wales) Measure 2009, s 2.
[26] Local Government (Wales) Measure 2009, s 4(2)(d).

36.   The Welsh Ministers have exercised that power to make the Fire and Rescue Authorities (Performance Indicators) (Wales) Order 2015 SI No 604 ("the 2015 Order").[27] The 2015 Order sets certain performance indicators regarding risk reduction, community safety and effective response.

37.   Under section 15, a fire and rescue authority must publish certain information, including its assessment of its own performance during a financial year in discharging its duty to secure continuous improvement, and meeting its improvement objectives.

38.   Every year, the Auditor General for Wales must issue a report in respect of each of the fire and rescue authorities in Wales stating, amongst other things, whether the fire and rescue authority is likely to comply with the 2009 Order's requirements during the financial year.[28]

39.   The Auditor General must also state whether he or she is minded to carry out a special inspection. Special inspections are defined by section 21 of the 2009 Order. A special inspection may be carried out if the Auditor General is of the opinion, or any regulator informs the Auditor General that its opinion is, that the authority may fail to comply with the key requirements of the 2009 Measure. Before the Auditor General carries out a special inspection, he or she must, amongst other things, consult the Welsh Ministers. The Auditor General must then issue a report following a special inspection.[29]

40.   Where an Auditor General for Wales report, received by a fire and rescue authority, contains a recommendation to take certain action, or states that the Auditor General is minded to carry out a special inspection, the authority must prepare a statement of (a) any action which it proposes to take as a result of the report; and (b) its proposed timetable for taking that action.[30]

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[27] The Fire and Rescue Authorities (Performance Indicators) (Wales) Order 2015 SI No 604 revoked the earlier Fire and Rescue Authorities (Performance Indicators) (Wales) Order 2011 SI No 558.
[28] Local Government (Wales) Measure 2009, ss 17-19.
[29] Local Government (Wales) Measure 2009, ss 21-22.
[30] Local Government (Wales) Measure 2009, s 20.

41.   The Welsh Ministers have issued statutory guidance, under the 2009 Order, to fire and rescue authorities.

Well-being of Future Generations (Wales) Act 2015

42.   The Well-being of Future Generations (Wales) Act 2015 ("the 2015 Act") imposes several duties on public bodies, including fire and rescue authorities. In particular, public bodies must carry out sustainable development, which must include (a) setting and publishing objectives ("well-being objectives") that are designed to maximise its contribution to achieving each of the well-being goals, and (b) taking all reasonable steps (in exercising its functions) to meet those objectives.[31]

43.   Moreover, as members of the 'public service boards' established by the 2015 Act,[32] there are additional duties on fire and rescue authorities.

44.   In particular, the public services boards must improve the economic, social, environmental and cultural well-being of its area by contributing to the achievement of the well-being goals.[33] A public services board must also prepare and publish an assessment of the state of economic, social, environmental and cultural well-being in its area, and a plan (a "local well-being plan") setting out its local objectives and the steps it proposes to take to meet them. A public services board must prepare and publish annual progress reports, which must specify the steps taken since the publication of the board's most recent local well-being plan to meet the objectives set out in the plan.[34]

Local Government and Elections (Wales) Act 2021: Performance and governance

45.   The Local Government and Elections (Wales) Act 2021 ("the 2021 Act") makes a number of important amendments to the 2004 Act. In particular, it inserts a new section 21A which gives the Welsh Ministers a power to make secondary legislation

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[31] Well-being of Future Generations (Wales) Act 2015, ss 3-4.
[32] Well-being of Future Generations (Wales) Act 2015, s 29.
[33] Well-being of Future Generations (Wales) Act 2015, s 36.
[34] Well-being of Future Generations (Wales) Act 2015, s 37-45.

requiring: (a) a fire and rescue authority for an area in Wales to make a plan in relation to the exercise of the authority's functions, and (b) imposing requirements to relating such a plan.[35]

46.   The requirements for a plan's content include:

a.   setting out an authority's priorities and objectives;

b.   describing and explain the extent to which the plan reflects the Framework prepared by the Welsh Ministers under section 21;

c.   setting out actions the authority intends to take in relation to its priorities and objectives;

d.   setting out how the authority intends to assess its performance.[36]

47.   The Welsh Ministers may also pass secondary legislation to make provision (including imposing requirements on an authority) for the purposes of assessing or reporting on the performance of an authority.[37]

48.   The 2021 Act also provides for the disapplication of the 2009 Measure to fire and rescue authorities, and its ultimate repeal. Part 6 of the 2021 Act establishes a new performance, performance assessment and intervention regime, updating the role of the Auditor General. It currently only applies in respect of principal councils.

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[35] Local Government and Elections (Wales) Act 2021, s 167.
[36] Fire and Rescue Services Act 2004, s 21A(3).
[37] Fire and Rescue Services Act 2004, s 21A(4).

December 2023

Independent Culture Review

Culture report

Culture Review

walking the talk
a ZRG company
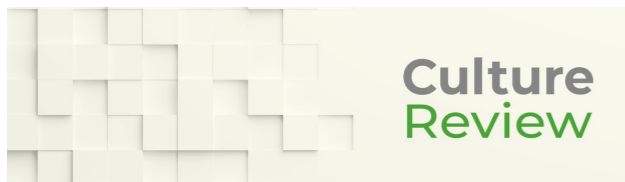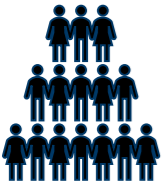
Introduction

- Walking the Talk has been appointed as organisational culture advisors to assist and advise the Independent Culture Review team headed by Fenella Morris KC into the culture at South Wales Fire and Rescue Service.

- We have conducted an organisation-wide anonymous survey and 5 face-to-face focus groups with employees holding a range of roles within the Service (see details on slide 3).

- This document sets out the analysis of the combined survey and focus group data and contains our conclusions about the culture within the Service.

- Our research questions were as follows:
    1. How strong are respect and inclusion in the culture of the Service?
    2. How prevalent is inappropriate behaviour in the Service?
    3. Does the culture encourage, discourage or tolerate such behaviour, and if so, how?
    4. What impact do the findings of questions 1-3 appear to be having on employees within the Service?

Culture Review

walking the talk

Scope of our assessment

1,840
Surveys sent

453
responses

25%
Response rate

Demographic breakdowns

Operational	Corporate
62%	**38%**

Manager	Non-manager
49%	**5%**

Full-time	Part-time
83%	**8%**

Retained
9%

Under-represented groups

Age	10%
Disability	4%
Gender	10%
Race	2%
Religion or belief	2%
Sex	2%
Sexual orientation	4%
Gender reassignment	0%
Prefer not to say	7%
No, I do not consider myself to be part of an underrepresented group	71%

Important to note small numbers of representation; for example, only 10 respondents in the 'race' group

5 Focus groups
~750 comments coded
45 participants

Demographic	% of comments
Female corporate staff	26%
Female ops staff	18%
Male ops staff	19%
Middle managers	19%
Open group	18%

Culture Review

walking the talk

Our analysis is grounded in our key culture frameworks

What is culture?

The patterns of behaviour

that are encouraged, discouraged or tolerated

by people and systems

over time.

ACHIEVEMENT

CUSTOMER-CENTRIC

ONE-TEAM

INNOVATION

GREATER-GOOD

PEOPLE-FIRST

Culture is created through the **messages people receive** about what is valued

unspoken

BEHAVIOURS

SYSTEMS

SYMBOLS

Have Do Be

RESULTS

BEHAVIOURS

BELIEFS

Culture Review

walking the talk
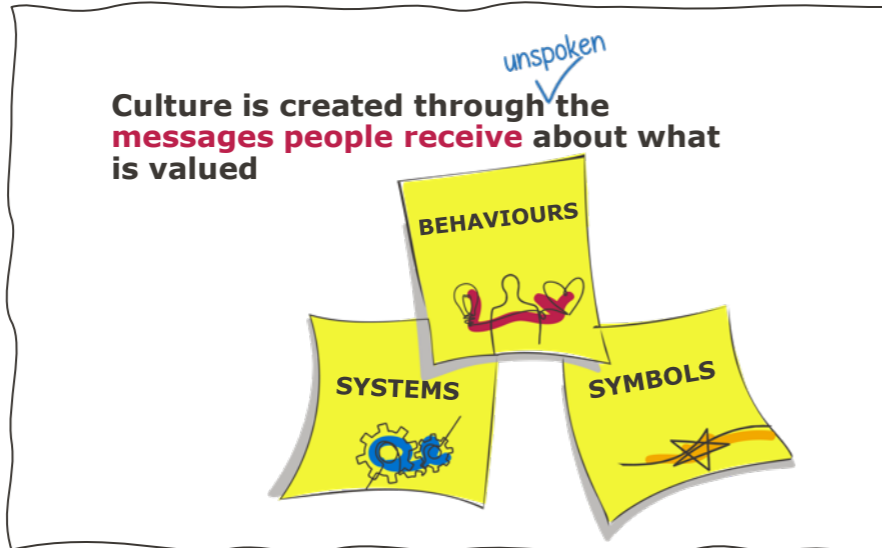
How strong are respect and inclusion in the culture of the Service?

Pride in the Service's mission creates a strong bond and sense of belonging

- People feel that they are part of something important, and this generates a sense of togetherness and team.
- This sense of camaraderie seems stronger in 'watches' than among non-operational staff, with people talking of a **familial environment** where colleagues have your back and support each other.

Top 2nd and 3rd most common images selected as the best representation of the culture in the Service today
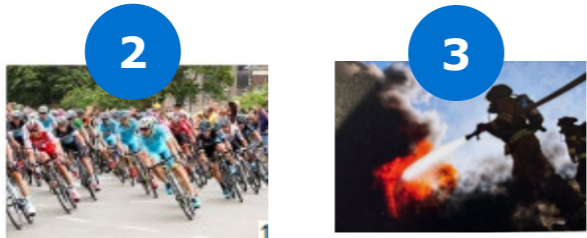
Top themes from the Images Exercise

2nd	**Teamwork, motivation to work hard, a lot of work**
3rd	We are here to be firefighters

We support each other and get things done operationally when we've got a big incident, we can deliver

I do feel like I got a family, you know, away from my own family, you know? My watch and the many, many people they work with over the years I feel like are brothers and sisters.

What is the **BEST THING** about your culture?

Welcoming people, friendliness, like family — **65%**

Supportive colleagues, teamwork — **30%**

Doing our best — **3%**
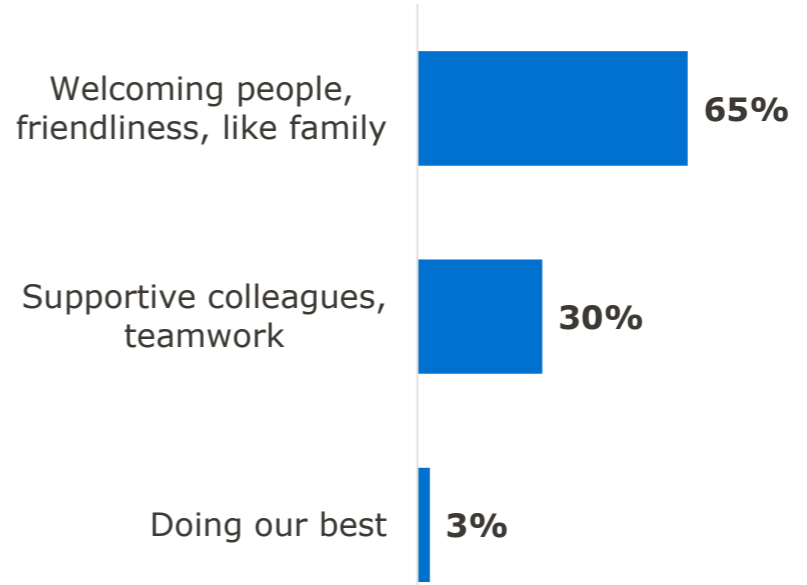
I love going to work because I've got a fantastic watch; we're lucky, we all get on well.

Culture Review

walking the talk

However, experiences of the culture vary across the Service

- Despite the high-level feeling of connection and togetherness, experiences of the culture vary quite significantly in different demographic groups.

- In the survey responses, we see the following patterns:

Consistently reporting more positive experiences

- Retained firefighters
- Full-time employees
- Non-managers
- Employees who did not identify as being in an under-represented group

Consistently reporting less positive experiences

- Part-time employees
- Managers
- Employees who identified as being in an under-represented group, particularly on the basis of sex and/or sexual orientation

Culture Review

walking the talk

The survey data suggests people understand the limits of appropriate humour

Survey Question:
Comments about protected characteristics are just harmless banter and people should not be so sensitive about them

Left chart:

Category	Strongly Disagree	Disagree	Somewhat Agree	Agree	Strongly Agree
All responses	49%	37%	11%	2%	1%
Not in under-represented group	49%	37%	11%	2%	1%
Sexual orientation	69%	25%	6%		
Sex	36%	46%	9%	9%	
Religion or belief	43%	43%	14%		
Race	40%	50%	10%		
Gender	58%	33%	7%	2%	
Disability	63%	16%	21%		
Age	48%	32%	14%	7%	

Right chart:

Category	Strongly Disagree	Disagree	Somewhat Agree	Agree	Strongly Agree
Not manage people	44%	39%	13%	3%	1%
Manage people	55%	35%	8%	1%	1%
Retained	31%	49%	18%	3%	
Part-time	46%	32%	14%	5%	3%
Full-time	52%	36%	9%	2%	1%
Corporate	55%	30%	12%	1%	1%
Operational	46%	41%	10%	3%	1%

■ Strongly Disagree ■ Disagree ■ Somewhat Agree ■ Agree ■ Strongly Agree

But respect and inclusion do not seem to be strong in the Service's culture

Survey Question:
Everyone in the Service is treated with respect

Left chart:

Category	Never	Rarely	Sometimes	Often	Always
All responses		9%	36%	43%	12%
Not in under-represented group		7%	32%	46%	13%
Sexual orientation	6%	31%	38%	13%	13%
Sex		18%	55%	27%	
Religion or belief		14%	43%	29%	14%
Race		10%	40%	40%	10%
Gender		19%	37%	37%	3%
Disability		6%	42%	26%	26%
Age		14%	41%	39%	7%

Right chart:

Category	Never	Rarely	Sometimes	Often	Always
Not manage people		6%	37%	44%	12%
Manager	1%	12%	34%	41%	12%
Retained		3%	21%	67%	10%
Part-time			51%	38%	11%
Full-time	1%	10%	36%	41%	13%
Corporate	1%	5%	43%	42%	8%
Operational	1%	11%	31%	43%	15%

Legend: ■ Never ■ Rarely ■ Sometimes ■ Often ■ Always

Only just over half (55%) of all respondents agree and scores for some demographics are very low

- Respect and inclusion was the 2nd most dominant theme in the focus group discussions (narrowly behind speaking up, see slides 21-24 for details).

- There were several dimensions to this:

  - Corporate staff feel they receive less respect than that accorded to operational staff
  - More junior employees feel they are treated with less respect than senior leaders
  - Almost all of the female employees told stories that demonstrate a lack of respect and inclusion, even if they themselves had not interpreted them in that way.

Culture Review

walking the talk

The most prominent focus group theme was the treatment of people

In the focus groups we ask people open, neutral questions to explore their experience of the culture, for example we start by asking them to select an image that best represents the culture, and get them to talk about their choice, we ask what it takes to be successful and to fit in in the culture. This unprompted methodology means people talk about what is front of mind, and that typically reflects what dominates their daily experience of the culture.

68% of comments from focus groups were about how people are treated topics

The majority of comments were about what we call 'People-First' topics, relating to being valued, respected, encouraged, and supported.

- In cultures that are strongly People-First, there is an open and friendly atmosphere where people listen and make time for each other.

- People are empowered and trusted to make good decisions.

- Employee well-being and safety are prioritised.

- People are given opportunities to learn and develop.

Percentage of comments in the focus groups about people-first topics that were positive or negative

8%

92%
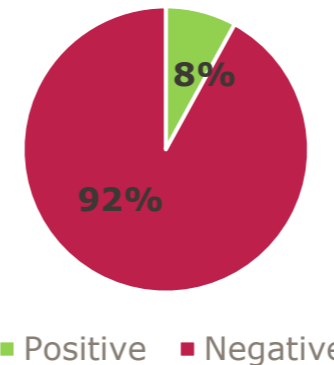
■ Positive ■ Negative

Percentage of comments in the focus groups about respect and inclusion that were positive or negative

14%

86%

■ Positive ■ Negative
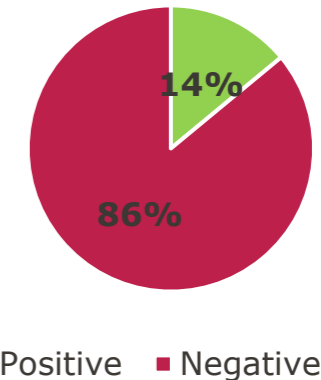
The combined survey and focus group data clearly show there is low respect and inclusion within the culture of the Service.

Culture Review

walking the talk

How prevalent is inappropriate behaviour in the Service?

Almost a third of survey respondents have experienced inappropriate behaviour

Survey Question:

In the last year at work, I personally *have experienced* inappropriate behaviour because of or related to a Protected Characteristic

Left chart:

Category	Never	Rarely	Sometimes	Often	Always
All responses	69%	14%	11%	5%	2%
Not in under-represented group	75%	13%	9%	3%	1%
Sexual orientation	38%	19%	19%	25%	
Sex	46%	18%	27%		9%
Religion or belief	43%	14%	14%	14%	14%
Race	50%	30%	20%		
Gender	56%	14%	12%	14%	5%
Disability	53%	21%	16%	5%	5%
Age	54%	18%	16%	11%	

Right chart:

Category	Never	Rarely	Sometimes	Often	Always
Not manage people	70%	13%	12%	6%	
Manage people	67%	15%	11%	4%	3%
Retained	69%	15%	13%		3%
Part-time	78%	5%	11%	5%	
Full-time	67%	15%	13%	4%	2%
Corporate	66%	13%	14%	5%	1%
Operational	70%	14%	10%	5%	2%

- Experiences are higher amongst those in under-represented groups, in particular those relating to religion or belief and sexual orientation.

- The levels for gender and sex, whilst slightly lower, remain high.

Legend: ■ Never ■ Rarely ■ Sometimes ■ Often ■ Always

Staff in focus groups noted the frequency of inappropriate behaviour

Female staff in particular all reported examples, such as:

- Sexual innuendos and sexualised comments, for example, commenting on the high social media profile of a female firefighter and asking other female staff if they too have an Only Fans account
- Comments about appearance – directly to them and about other women in their presence
- Jokes about women in general, and about the individuals in particular
- Unwanted contact and/or propositions for dates – in person and via texts and WhatsApp messages

The women in the focus groups made a distinction between **frequency and prevalence,** saying that this kind of behaviour comes from a minority of male colleagues, but that it is frequent and nothing is done to stop them.

Other examples based on race, age and neurodiversity were also shared in the focus groups, but there were fewer than those based on gender.

> The watch manager basically started talking about her as if she was someone to just be sexualised someone. Oh, I would give her one

> It is the minority that do it. But they do it a lot. So it goes on. It goes on a lot, but not because it's everyone, because it's been repeated and it doesn't get dealt with and it gets left to.

> It's always a joke made about the crossing the boat crossing. Obviously I'm an immigrant myself, but I came in a very different way … You know, like, okay, now we're on to race …it's disguised as this banter thing

Culture Review

walking the talk

41% of survey respondents have witnessed incidents involving others

Survey Question:
In the last year at work, I *have witnessed* inappropriate behaviour because of or related to a Protected Characteristic
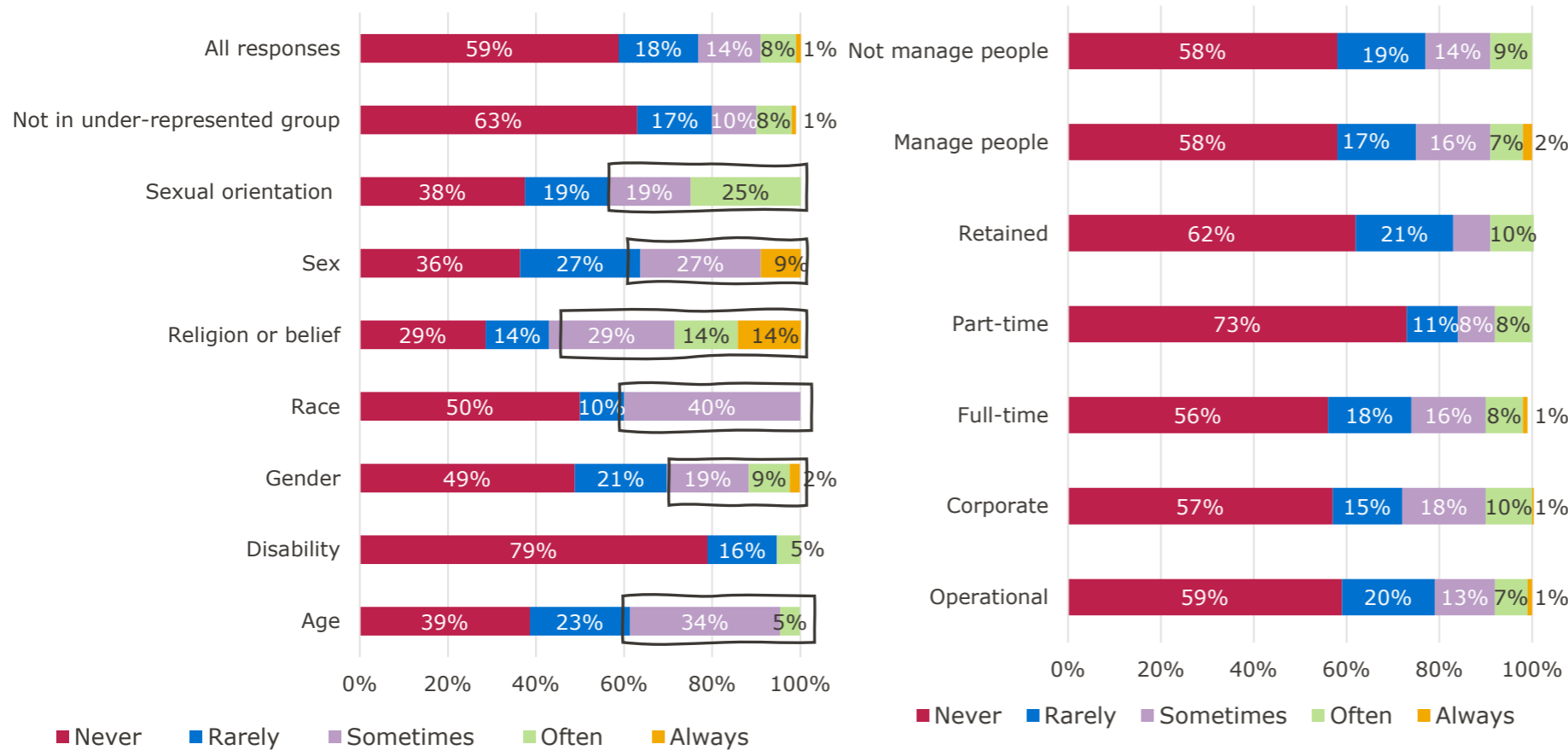
- This resonates with the discussions in the focus groups, where many participants cited examples of things they had seen happen to others, rather than directly experienced themselves.

- Speaking up about such incidents is challenging for people, as is explored further on slides 21-24.

Legend: ■ Never ■ Rarely ■ Sometimes ■ Often ■ Always

Just under half of respondents have been exposed to inappropriate content by colleagues

Survey Question:
In the last year at work, I have received, seen, or heard jokes, comments or photos of an inappropriate nature from my colleagues

	Never	Rarely	Sometimes	Often	Always
All responses	54%	22%	18%	4%	2%
Not in under-represented group	54%	22%	18%	4%	2%
Sexual orientation	25%	25%	41%	6%	3%
Sex	46%	36%		9%	9%
Religion or belief	14%	14%	57%		14%
Race	40%	30%	20%	10%	
Gender	42%	21%	19%	14%	5%
Disability	58%	21%	5%	16%	
Age	27%	25%	30%	16%	2%
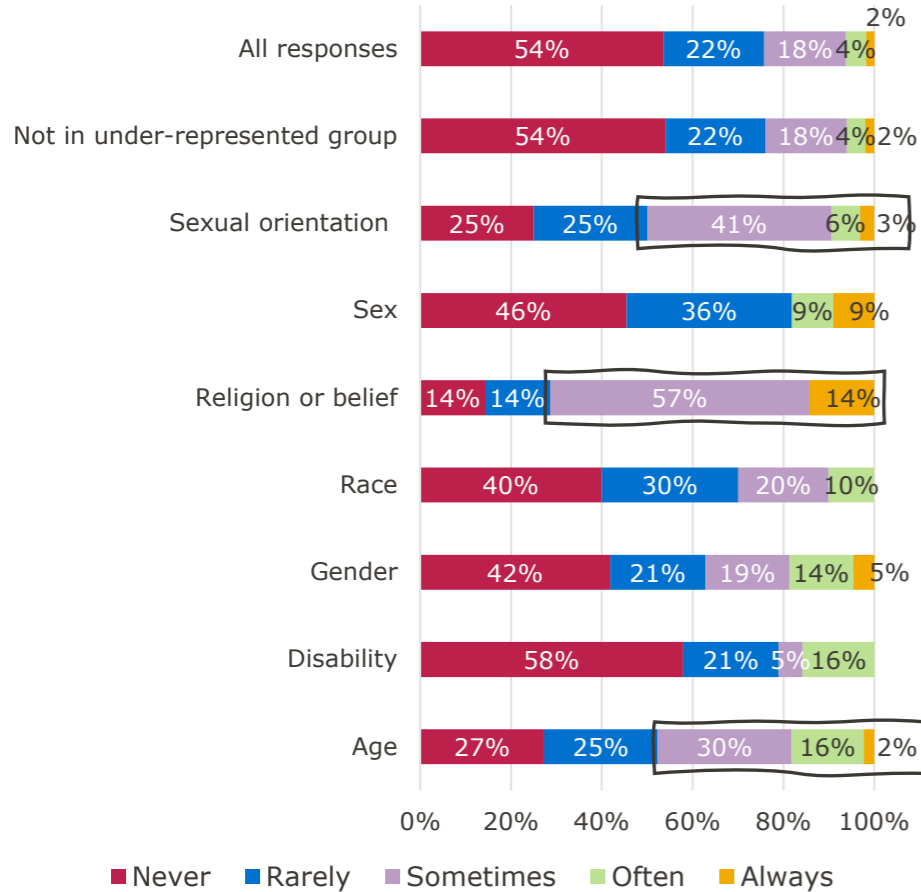
Survey Question:
In the last year outside of work, I have received, seen, or heard jokes, comments or photos of an inappropriate nature from my colleagues

	Never	Rarely	Sometimes	Often	Always
All responses	59%	19%	15%	6%	2%
Not in under-represented group	61%	18%	15%	4%	2%
Sexual orientation	44%	31%	13%	6%	6%
Sex	36%	54%			9%
Religion or belief	43%	29%	14%	14%	
Race	70%	20%	10%		
Gender	54%	19%	14%	12%	2%
Disability	84%		5%	11%	
Age	39%	27%	18%	16%	
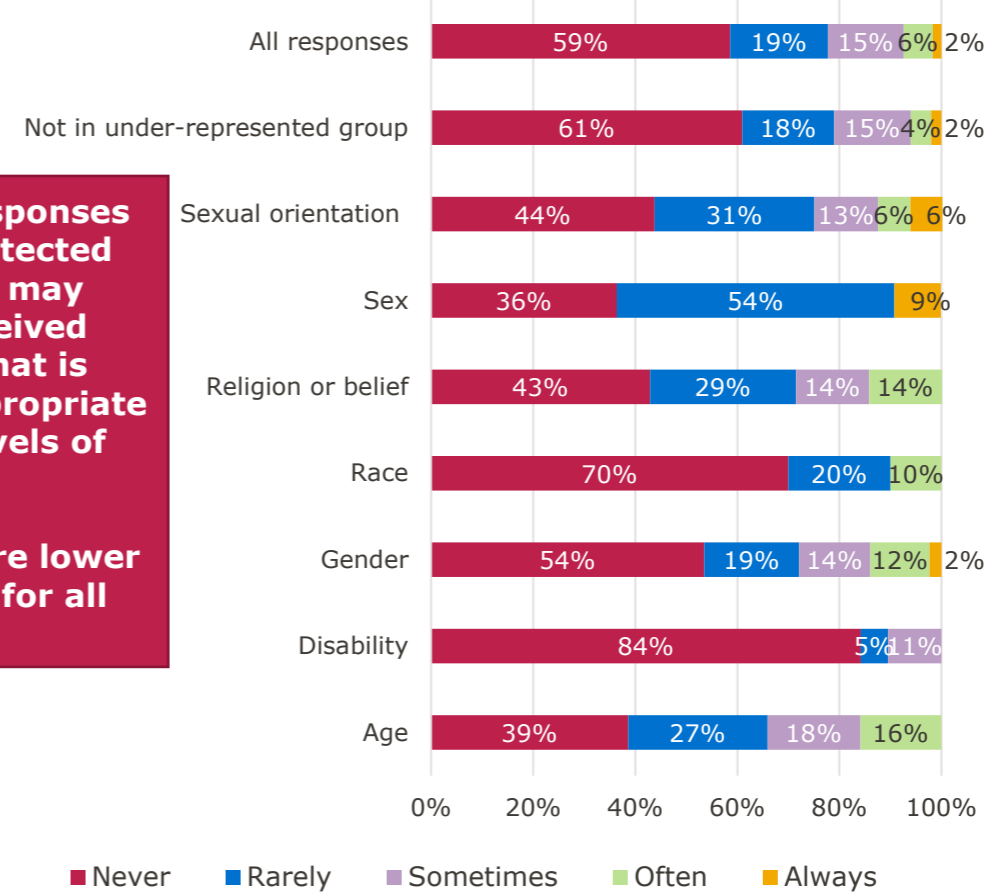
Differences in responses between the protected characteristics may suggest a perceived hierarchy of what is appropriate/inappropriate and different levels of exposure.

Exposure levels are lower outside of work for all groups.

Legend: ■ Never ■ Rarely ■ Sometimes ■ Often ■ Always

Culture Review

walking the talk

Does the culture of the Service encourage, discourage or tolerate inappropriate behaviour, and if so, how?

The data shows that the culture in the Service **does encourage** inappropriate behaviour

The data shows clearly that inappropriate behaviour is both tolerated and, in some cases, encouraged.

The messages employees receive, via the behaviours, symbols and systems are that:

- Such behaviour is OK
- Challenging it, or making a formal complaint is not worth it, and may have negative repercussions.
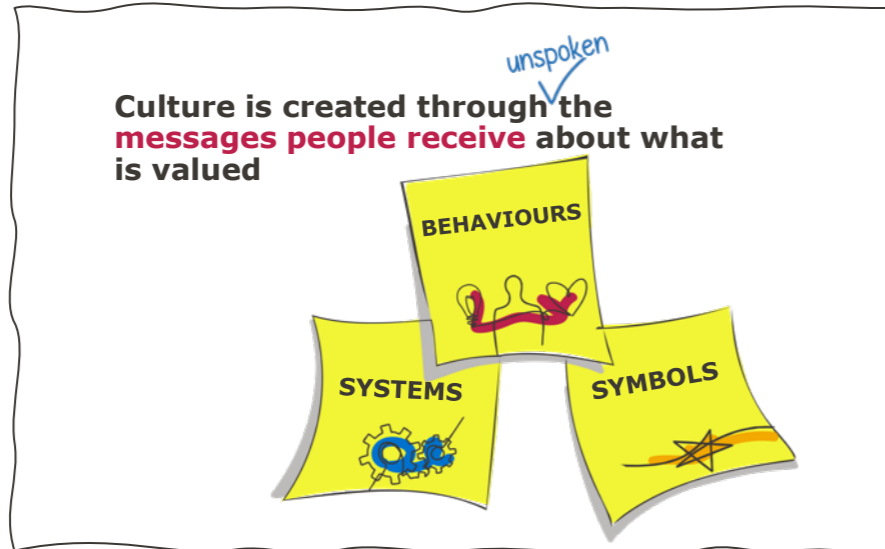
The following slides explore this central finding in more detail.

A major contributing factor is insufficient role modeling by managers

Survey Question:
Managers set the right example about how to behave respectfully

Left chart:

Category	Never	Rarely	Sometimes	Often	Always
All responses	1%	11%	43%	34%	11%
Not in under-represented group	1%	10%	42%	36%	12%
Sexual orientation	13%	19%	38%	31%	
Sex		27%	55%	18%	
Religion or belief		29%	29%	14%	29%
Race		10%	50%	20%	20%
Gender	5%	3%	30%	35%	2%
Disability	5%	26%	26%	21%	21%
Age	2%	14%	55%	21%	9%

Right chart:

Category	Never	Rarely	Sometimes	Often	Always
Not manage people	1%	9%	41%	34%	15%
Manage people	1%	14%	44%	34%	7%
Retained		8%	39%	33%	21%
Part-time		5%	54%	30%	11%
Full-time	2%	12%	42%	34%	10%
Corporate	2%	11%	48%	29%	10%
Operational	1%	12%	40%	37%	11%

Legend: ■ Never ■ Rarely ■ Sometimes ■ Often ■ Always

- Fewer than half of respondents say that managers set the right example always or often.

- Role modeling is about consistency, so these low levels of 'always' and 'often' responses are concerning and suggest there is a lot of room for improvement.

- The survey responses for different demographics follow a similar pattern to earlier questions, with retained and full-time employees more positive than those in under-represented groups, in particular those related to sexual orientation and disability.

Culture Review

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a LTC company

In some instances, the managers themselves are the perpetrators

- Focus group participants had examples of managers at all levels behaving inappropriately, through sexualised comments, jokes and actions.

- Leaders set the tone for what is acceptable in an organisation's culture, so managers behaving in this way actively encourages others to behave similarly and sends a strong message about the legitimacy of such behaviour.

- It also discourages employees from speaking up and challenging behaviour, weakening their confidence that complaints will be taken seriously or dealt with sensitively.

The Shadow of the Leader
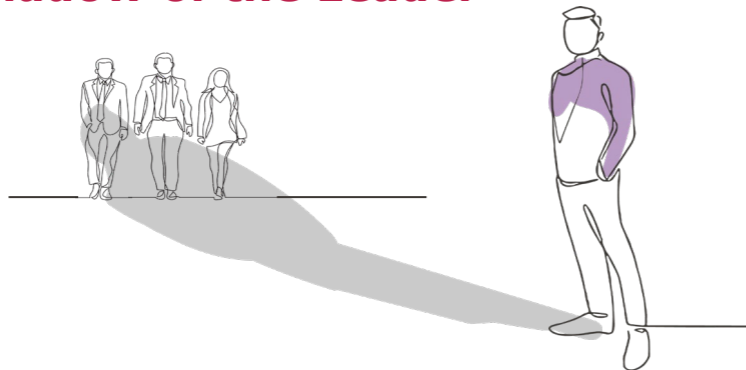
YOUR ACTIONS SPEAK SO LOUDLY I CAN'T HEAR WHAT YOU ARE SAYING

In a group of senior leaders someone said "are you pinning the tail on that about her? (meaning are you having sex with that person). No one had said that was inappropriate. But it was like quite high level people. And they should be leading by example to say, that's not okay.

The same thing happened to me like a group of like that level people at the conversation about me and no one there like stood up for me or have my back in any way and then go back to me. Rather I wanted to leave at that point because I was like, Well, how? How can I do my job when you have no respect for me?

There were a watch manager, crew manager, another firefighter. They all laughed. It's always a joke made about the crossing the boat crossing. Obviously I'm an immigrant myself, but I came in a very different way … You know, like, okay, now we're on to race …it's disguised as this banter thing.

Culture Review

walking the talk

People are not encouraged to speak up

The #1 most common image selected as the best representation of the culture in the Service today

Lack of speaking up or challenging seniors

Percentage of comments in the focus groups about speaking up that were positive or negative

Speaking up

9%

91%

■ Positive ■ Negative

- Only 56% of survey respondents say their manager encourages them to speak up.

- Although 61% of respondents say that when they do speak up about concerns, they feel that their manager listens and takes them seriously.
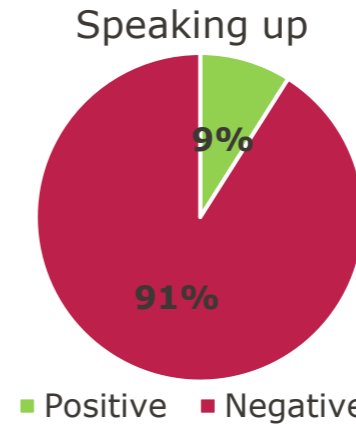
I'm too scared to speak up. And when I do, I'm not listened to.

If you do say these difficult things, your card's marked; you're spoken about in HQ, which obviously was the case with myself.

I've learned hard way that in future I will no longer ask a principal officer a question for fear of upsetting.

To open up and speak out sometimes is detrimental to you. So I think for a lot of people, it's probably best to just stay there quietly and say nothing at all.

Culture Review

walking the talk

One third of respondents have avoided speaking up in the last 12 months

Survey Question:
In the last year, I have avoided speaking up about an issue or concern, even though I thought it was important

Left chart:

Category	Never	Rarely	Sometimes	Often	Always
All responses	56%	12%	15%	14%	3%
Not in under-represented group	63%	11%	13%	10%	3%
Sexual orientation	19%	19%	19%	38%	6%
Sex	27%	27%	18%	18%	9%
Religion or belief	43%	14%		29%	14%
Race	40%	20%	10%	20%	10%
Gender	33%	16%	19%	28%	5%
Disability	47%	5%	11%	32%	5%
Age	32%	7%	30%	25%	7%

Right chart:

Category	Never	Rarely	Sometimes	Often	Always
Not manage people	62%	9%	16%	11%	3%
Manage people	48%	14%	15%	19%	4%
Retained	62%	5%	5%	21%	8%
Part-time	60%	11%	19%	8%	3%
Full-time	54%	12%	16%	15%	3%
Corporate	51%	11%	19%	15%	3%
Operational	57%	11%	14%	14%	4%

Legend: ■ Never ■ Rarely ■ Sometimes ■ Often ■ Always

- Only slightly over half of all respondents said they have **never** avoided speaking up.
- This is a worrying result and is not totally explained by higher results among the protected characteristic categories, because we also see reluctance from people managers, and corporate staff.

Culture Review

walking the talk

A key factor discouraging speaking up is the hierarchical nature of the culture

- The fourth most common theme in the focus groups was the strong hierarchical nature of the culture and the power of top-down relationships.

- In particular, there is a perception you have to have good relationships with senior leaders in order to get on in the Service.

- This discourages speaking up and upward challenge, with people fearing that they will suffer negative repercussions as a result.

- The prevailing belief, therefore, is that you should not rock the boat, rather, you should keep your head down and not be a trouble maker.

I would like to see our leaders…

Being more present, listening to, understanding us	39%
More accountable, lead by example	16%
More open to change, flexible, open minded	10%
Telling the truth, being more transparent	10%
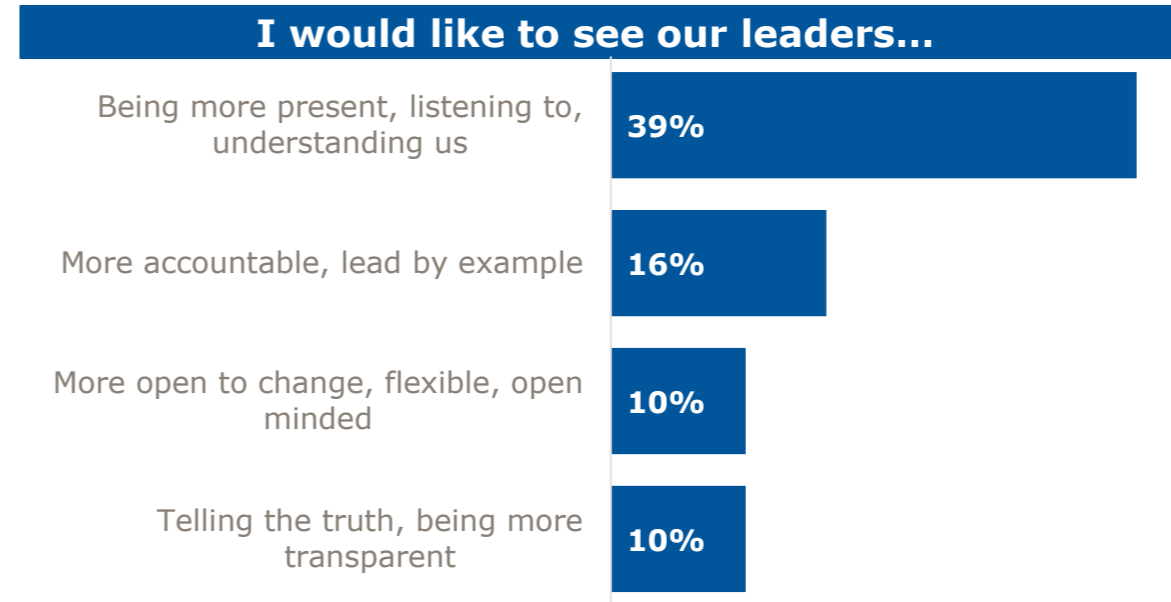
*(I was told)…**be a good girl**, maybe we'll let you go in that department…Be a good girl and you might get a chance*

I was sort of advised, browbeaten into. Just sit down for a minute. Don't, don't don't rock the boat because, you know, it could affect your chances.

This behaviour is unacceptable. I don't like being spoken to like that. I don't want to be treated like that. I don't expect to come to work and be made to feel that way. But you can't (say it)… because your head's above the parapet and you are now essentially targeted one day.

Culture Review

walking the talk

The strongest driver of not speaking up is fear of damage to career prospects

Why did you avoid speaking up?	Operational	Corporate	Full-time	Part-time	Retained	Manage people	Don't manage people
I thought it would impact negatively on my career	**63%**	51%	**61%**	27%	**60%**	**66%**	48%

The top response to the survey question directed at those who said they had avoided speaking up in the last 12 months

And the reason he never complained about that was because he thought it would harm his chances in the subsequent interview process..

People are scared to speak out because they want to progress themselves within the service. And it's it's deemed by some people then that perhaps they're troublemakers to stand up.

ultimately it's because the individual who he's spoken up against is protected via family members and friends in senior management

There is a strong perception that the hiring and promotions process is unfair

- The hiring and promotions process was the third most common theme brought up by participants in the focus groups.

- They talked openly of needing to stay 'on the right side' of senior leaders, and of nepotism within the system, of who you know being equally, or even more, important than performance.

- One example was given of a candidate for promotion reading verbatim from the answer sheet, which someone had clearly given them before the interview. When the interviewer raised this as a concern, they were told to ignore it and give a pass anyway because trying to deal with it would be too difficult.

- A particular concern raised frequently was the number and length of temporary promotions.

Percentage of comments in the focus groups about hiring, firing and promotions that were positive or negative

100%
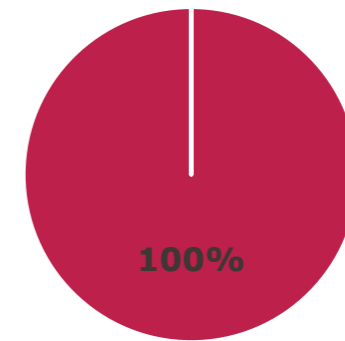
- Positive - Negative

Something I've heard a lot in the fire service is don't put your head above the parapet … they said, not speak up or when you do is sort of crushed because whoever you're talking about is friends with someone else and their dad is a manager or someone else is on the rugby team.

It is not clear what you need to do to get promoted, It changes all the time.

I would say join the Chief's cycling group, or the Chief's skiing group. You'll go far.

There's so many officers with daughters and sons in this job now is unbelievable. We've got sons and daughters who are getting promoted left, right and centre. Again, nepotism is so spoken about when you go on station. It's unbelievable.

Culture Review

walking the talk
a Zo company

Concerns about reputation and sensitivity also inhibit speaking up

Why did you avoid speaking up?	Operational	Corporate	Full-time	Part-time	Retained	Manage people	Don't manage people
I thought I might be labelled a troublemaker	41%	48%	45%	33%	47%	39%	50%
I didn't think it would be handled sensitively or confidentially	52%	61%	55%	67%	47%	53%	59%

2nd & 3rd top responses to survey question directed at those who said they had avoided speaking up in the last 12 months

Focus group participants reported two extremes in their experiences of speaking up about inappropriate behaviour

- At one extreme, they said concerns are often laughed off and not taken seriously; there were examples of people being told to ignore it, or to have a better sense of humour.

- But at the other extreme, people said they felt the process was too blunt and heavy handed, and that therefore the stakes seem really high for raising an issue.

- There does not seem to be a middle-ground, where it's possible to raise concerns and for those to be handled sensitively.

I think it is more difficult when you're female because if you go and make a complaint … You don't get ownership of that complaint. It's not your complaint anymore. It's gone into a system and the system is now going to do something with it. You might not even want that. Does that make sense? You might not want a disciplinary. You might just want mitigation to sit in a room and for that person to apologise to you.

I've reported incidents of sexual harassment twice in work. Neither incident was properly dealt with. I was told to just ignore it.

Culture Review

walking the talk

And a general lack of openness and transparency undermines trust

"If you could change one thing about our culture" *(top two responses)*
1st   Lack of openness/transparency, trust, honesty
2nd   Lack of fairness, equity

- Focus group participants reported a lack of transparency and openness from senior leaders, with both employees and external audiences.

- In the absence of this, rumours and suspicions grow, stories get blown out of proportion and, ultimately, trust is eroded.

If the processes were a lot more transparent, a lot of these requests just wouldn't happen because a lot of people have suspicions as to why decisions are reached, particularly so in a disciplinary process.

It's frustrating then when you want to go to the senior management team for guidance and they're very reluctant to give you any information. So you have to go 'we're not commenting at this at this time'. And then there's a big story about it because you just haven't been transparent.

I miss the transparency because there's a lot of gossip. So something happens over here, Chinese whispers, you get something, but you don't know actually what the outcome is, how you report that and feed it to other people…We don't have a mechanism to say this has been highlighted, this is the outcome.

What impact do the findings of questions 1-3 appear to be having on employees within the Service?

Fewer than half of respondents feel the Service looks after their mental health

Survey Question:
The Service takes care of our mental health

Left chart:

Category	Never	Rarely	Sometimes	Often	Always
All responses	7%	17%	33%	28%	15%
Not in under-represented group	7%	17%	31%	29%	17%
Sexual orientation	6%	25%	25%	31%	13%
Sex	18%	46%	36%		
Religion or belief		14%	43%	14%	29%
Race		20%	20%	40%	2%
Gender	5%	16%	37%	30%	12%
Disability	11%	11%	32%	16%	32%
Age	7%	18%	43%	23%	9%

Right chart:

Category	Never	Rarely	Sometimes	Often	Always
Not manage people	6%	16%	30%	32%	17%
Manage people	8%	18%	36%	24%	14%
Retained		10%	31%	33%	26%
Part-time	3%	8%	51%	27%	11%
Full-time	8%	19%	31%	27%	15%
Corporate	8%	14%	33%	30%	15%
Operational	6%	19%	32%	27%	16%

- As with other questions, those not in an under-represented category report more positive views, and retained firefighters show the highest scores.

- Those identifying as in an under-represented group due to sex show particularly low scores.

- Several of the groups (e.g. corporate, full-time, managers) share an inconsistent experience. Sometimes 'always' and 'rarely' scores are both significant, suggesting very different experiences. This may be due to line or station managers.

Culture Review

walking the talk

People's pride does not translate into strong advocacy of the Service

Survey Question:
I would recommend the Service as a place to work because of its culture

Left chart:

Category	Strongly Disagree	Disagree	Somewhat Agree	Agree	Strongly Agree
All responses	18%	28%	23%	18%	13%
Not in under-represented group	6%	12%	34%	26%	23%
Sexual orientation	38%	13%	25%	19%	6%
Sex	18%	36%	36%	9%	
Religion or belief	14%	29%	14%	14%	29%
Race	20%	30%	10%	20%	20%
Gender	14%	26%	28%	19%	14%
Disability	11%	26%	16%	32%	16%
Age	9%	34%	32%	16%	9%

Right chart:

Category	Strongly Disagree	Disagree	Somewhat Agree	Agree	Strongly Agree
Not manage people	6%	15%	36%	23%	20%
Manage people	8%	15%	32%	25%	20%
Retained	5%	8%	28%	39%	21%
Part-time	3%	16%	46%	24%	11%
Full-time	8%	16%	33%	23%	21%
Corporate	9%	18%	38%	20%	15%
Operational	6%	13%	31%	27%	24%

Legend: ■ Strongly Disagree ■ Disagree ■ Somewhat Agree ■ Agree ■ Strongly Agree

I wouldn't have my daughter working here because she's a beautiful girl. I wouldn't put her in this environment if my life depended on it.

Almost half of respondents (46%) would not recommend the Service as a place to work because of its culture.

I said "I don't want you (*employee to their son*) applying here because I don't want you in this environment". I think he would be picked on and bullied on station.

Culture Review

walking the talk
a Z&G company

And confidence that there will be change as a result of the culture review is low

Survey Question:
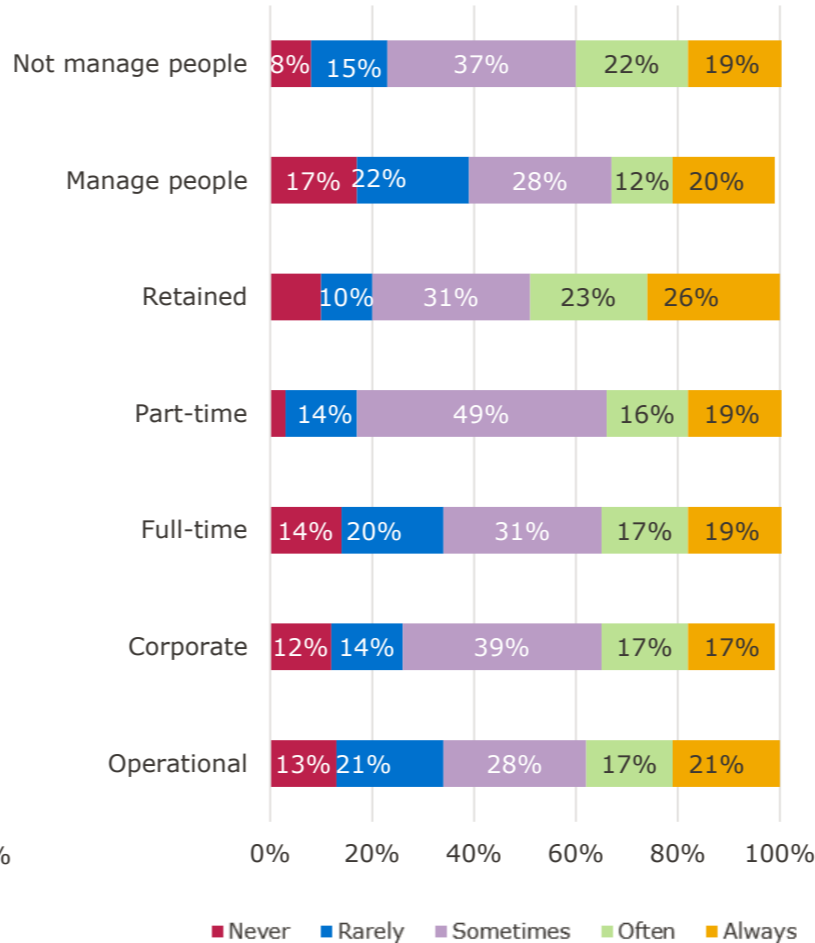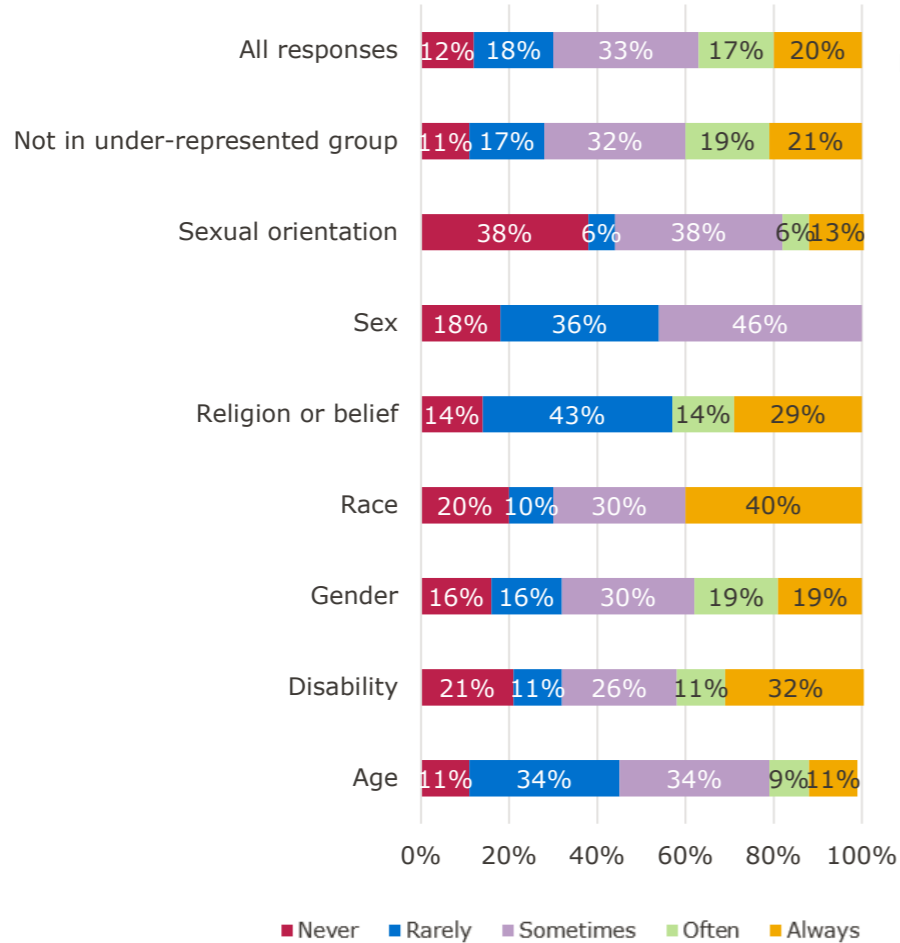**The Service will act on the findings and/or recommendations of this Culture Review**

Chart 1 (left):

Category	Never	Rarely	Sometimes	Often	Always
All responses	12%	18%	33%	17%	20%
Not in under-represented group	11%	17%	32%	19%	21%
Sexual orientation	38%	6%	38%	6%	13%
Sex	18%	36%	46%		
Religion or belief	14%	43%	14%		29%
Race	20%	10%	30%		40%
Gender	16%	16%	30%	19%	19%
Disability	21%	11%	26%	11%	32%
Age	11%	34%	34%	9%	11%

Chart 2 (right):

Category	Never	Rarely	Sometimes	Often	Always
Not manage people	8%	15%	37%	22%	19%
Manage people	17%	22%	28%	12%	20%
Retained		10%	31%	23%	26%
Part-time		14%	49%	16%	19%
Full-time	14%	20%	31%	17%	19%
Corporate	12%	14%	39%	17%	17%
Operational	13%	21%	28%	17%	21%

Legend: ■ Never ■ Rarely ■ Sometimes ■ Often ■ Always

- One third of respondents do not believe at all that any action will be taken following the review.
- Unlike with other questions however, the responses are spread across strongly agree to strongly disagree.
- And every demographic other than those identifying as part of an under-represented group due to their sex has a significant proportion of people who strongly agree.

Conclusions

Conclusions

- Despite the sense of shared pride and togetherness driven by the mission of the Service, **respect and inclusion are not strong in the current culture.** Experiences vary greatly across the organisation, with those in under-represented groups generally having less positive experiences than the majority of retained, full-time operational staff.

- The data suggests that **inappropriate behaviour in the form of jokes, banter and, in particular, sexualised comments, is very prevalent.**

- **The culture of the Service tolerates, and at times actively encourages such behaviour**, because:
  - there is **insufficient role modelling** of what is and is not acceptable
  - some managers and **leaders themselves behave in ways that are inappropriate**
  - people **are not encouraged to speak up** and those who raise concerns are often explicitly encouraged not to complain
  - the hierarchical nature of the culture and perceived nepotism/favouritism within it means **employees fear negative consequences of speaking up**
  - **concerns are often brushed aside, or dealt with in a heavy-handed way**. There is little middle ground that allows a behaviour to be addressed in a firm but informal way.

Culture Review

walking the talk
a Z&G company

The reluctance to speak up is a major risk for the Service

Belief

Behaviours

Risks to the Service

Don't put your head above the parapet
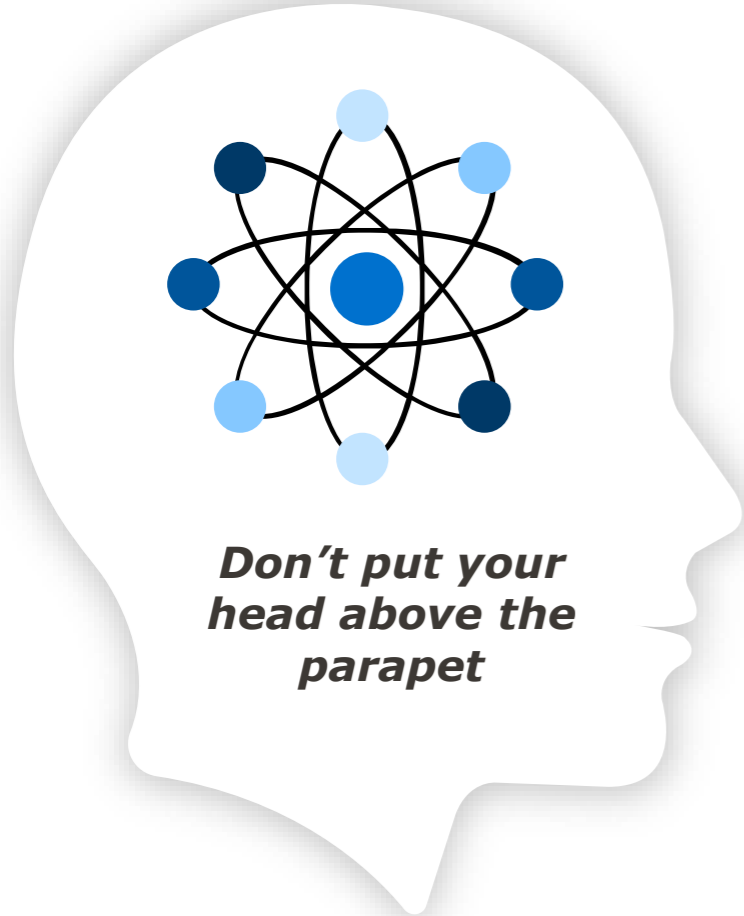
- Keep quiet
- Don't complain
- Let inappropriate behaviour go (whether it happens to you or a colleague)
- Or challenge once, but then drop it if not received well
- Try to please the boss, keep on the right side of senior leaders

Inappropriate behaviour remains tolerated

There is low speaking up about other topics as well as behaviour, e.g. safety, or efficiency

- **Employee engagement, mental health, stress, performance and retention decline**

- **Publicly reported incidents of inappropriate behaviour increase, as employees lose faith in internal processes and go directly to the media**

- **The reputation of the Service is weakened**

- **Unsafe practices exist, as people are reluctant to speak up and challenge the hierarchy**

A significant change in leadership style will be required to shift the culture

A healthy culture requires leaders to display three core qualities

Responsible

- Above the line
- Responsive
- Pro-active
- Address issues

Principled

Open

From

Leaders:
- Not addressing harassment issues
- Not providing consistent well-being support
- Acknowledging that communication is broken but not doing anything to fix it

To

To
- Values-led
- Drawing the line
- Setting and sticking to standards

From

Leaders:
- Sometimes bending the rules
- Not having the difficult conversations
- Questioning less senior people for taking initiative, even if it is their role

From

Leaders:
- Showing lack of transparency and openness: e.g., reluctance to give information
- Dismissing and/or disagreeing with views from people

To
- Listening
- Humble
- Curious
- Learning

Culture Review

walking the talk