

Monday 24th July 2017

STATEMENT BY AVON AND BRISTOL LAW CENTRE AND STAND AGAINST RACISM & INEQUALITY (SARI) IN RESPONSE TO THE REPORT PUBLISHED FOLLOWING THE STATUTORY INSPECTION OF AVON FIRE AND RESCUE AUTHORITY, JULY 2017.

SARI and Avon and Bristol Law Centre welcome the findings of this detailed report following a wide range of concerns raised by various sources about the conduct, governance, accountability structures and culture of Avon Fire and Rescue.

SARI and the Law Centre have worked jointly to respond to the complainant Nelum Arshad who Tribunal judgment was referred to in the above report. Findings from this race discrimination claim are referenced in the report and illustrate the experience of one BME staff member who faced discrimination, victimisation and unfair outcomes in this organisation. SARI has also supported other BME staff to contribute to this investigation and to ensure their voices are heard.

We want to ask Avon Fire Authority going forward to ensure that they do pay particular attention to the concerns and recommendations in this report that relate to addressing the allegations that there has been a bullying culture and particularly negative experiences for a number of BME staff. We also ask you to pay heed to the concern raised that Avon Fire and Rescue has such a pitiful percentage of its current staff team who are BME and no BME senior members of staff. This is shocking given the diversity of the City of Bristol. It has the lowest percentage of BME staff of any Avon based public body. The poor experiences, outcomes and representation for BME staff in Avon Fire and Rescue must be addressed with the utmost urgency.

We ask that these points are not lost or forgotten given the significant number of challenges that this report outlines.

We would like to remind you that the tribunal was extremely critical of the way AFRS handled her case in their Judgment.

We also ask you to note that 5 BME former employees have now come forward claiming bullying, harassment, coercion and racist behaviours and cite particular officers. Some are no longer with you – some are.

We fully agree with the Inspector's recommendation that there must be cultural change and that there must be a full and detailed review of the organisation by an external and autonomous panel – we note appendix 5 of the report which outlines the approach that Leicestershire AFA has taken and would agree this is a sensible approach. However, that inquiry did not have a dedicated and specific focus on race equality and diversity and

inclusion. Given the findings of this inquiry, we would like to see that added to the Terms of Reference of any future review.

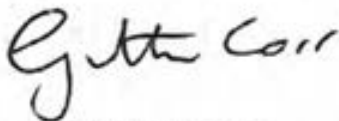
We also believe that it is crucial that Avon Fire and Rescue ensure there is a completely fresh leadership given the fact that insufficient change in the past meant that the endemic cultural faults and dysfunction could not be addressed. We would like to be assured that anyone identified as linked to the causal factors is properly investigated, made accountable and addressed so there can be no repeat offending or errors. For some this may mean serious challenge and perhaps disciplinary and for others appropriate and effective learning programmes or perhaps both.

We would also like to bring to your attention a letter written to Avon Fire and Rescue in May 2016 addressed to Kevin Pearson from SARI and the Law Centre asking to meet them to consider particular learning that the Tribunal Judgement for Nelum Arshad's case brought out. This could not progress as Avon Fire and Rescue refused to allow us to bring Nelum Arshad to the table with us. We would like to ask that this is reconsidered in light of the newly published report.

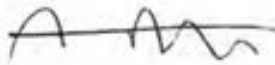
We remain committed to work with Avon Fire Authority and Avon Fire and Rescue to do all we can by using our areas of expertise to make a positive and tangible difference to the equality and inclusion outcomes for this organisation and the people it serves.

Thank you in advance for your consideration.

Yours faithfully



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Email: noopurt@abl.org.uk



Alex, Raikes, Director Strategic
Stand Against Racism & Inequality (SARI)

Dear Mr Goodman,

As per your email dated 21st July 2017 I hereby request to be allowed to speak at the public meeting to be held on Thursday 27th July 2017. Would you please confirm receipt of this email dated 24th July 2017

Public statement by Roger Smith 27th July 2017

As a long retired firefighter, I find the necessity and reasons for this public meeting extremely depressing.

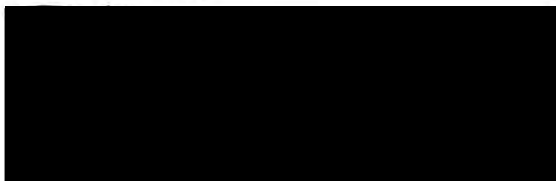
It has as we know been brought about because of the Home Office investigation and the reading of it has left me with a feeling of great sadness. Sadness that the Fire Brigade I joined way back in 1964 should rightly or wrongly be subjected to political criticism. This could in my opinion do immense harm, and indeed wipe out the public spirited endeavours of some giants of men and women that I was so proud to serve with. Indeed, we were often running into situations that would have fazed lesser mortals!

I would like to state that the overwhelming majority of fire service personnel I still encounter at various venues, are the epitome of brave, upstanding, righteous citizens. However, like any large family the AF&RS is no different, and there will always be fallings out and disagreements at all levels of the organisation. I would claim that whatever they are, they should not ever be considered important enough to endanger the esprit de corps of the service.

The investigation, although no doubt unwelcome, should be seen as a springboard for a renewal to further the already proud reputation of the AF&RS.

To conclude, whatever the resulting changes necessary, I am sure the incumbent senior managers of the service will respond with professionalism to ensure the AF&RS addresses any conclusions/proposals of the Home Office report.

Roger Smith,



24th July 2017.

Guy Goodman

From: Farida Lodhi [REDACTED]
Sent: 24 July 2017 23:03
To: The Clerk
Subject: Fire Authority Meeting Thursday

Follow Up Flag: Follow up
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The Home Office report on the treatment of Minorities at the Fire Service."

I have come here today to express my disgust at the historical mistreatment of Black and Minority Ethnic employees at the Fire Brigade and ask that the senior people responsible be held to serious account for their actions. The report reveals "endemic" bullying and harassment of BAME individuals, and an appalling record of recruiting and retaining BAME staff. I am sure the two are linked. These problems as the report says were also brought out in a previous Employment Tribunal case and yet no action was taken against the individuals found guilty of victimizing the sole Muslim employee of the organization at the time. This must not be allowed to happen again.

BME communities in our country are becoming increasingly isolated from mainstream employment, and the lack of opportunities is particularly affecting our young people. How is any integration to take place when senior managers can mistreat BAME employees in this way and suffer no consequences? Why would any ethnic minority parent allow their child to go anywhere Avon Fire Service given this culture of bullying identified in the Report?

I notice that the new Fire Authority chair says: "we must demonstrate through actions, not words, how we will improve".

This involves not setting up of yet another "Equalities" or "Inclusion" sub committee but holding the bullies to account. I urge you to do so.

Sent from my iPhone

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Guy Goodman

From: Kevin Geraghty [REDACTED]
Sent: 25 July 2017 00:04
To: The Clerk
Subject: Statement

Follow Up Flag: Follow up
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I would like to deliver the following statement at this Thursday's Fire Authority meeting in accordance with Standing Order 21.

"My name is Kevin Geraghty and I am a Bristol Resident and Council Taxpayer.

My contention in this brief statement is to outline why I believe that the recently changed Standing Orders of the Fire Authority with regards to public access make it impossible for the public to hold the management of Avon Fire to account, unnecessarily restrict free speech, and indeed may be discriminatory.

Firstly we have the point about accountability. I, like much of the public and local community and media have been appalled by the findings of the Home Office Report. Paragraph 205 is very clear when it states that : "The SMB and the CFO in particular have been left unchallenged and not properly held to account for too long". Unfortunately paragraph 1.21.5 in the Standing Orders prevents any member of the public from commenting on, or bringing to the attention of the Fire Authority, any of the activities of these individuals. This states: " Petitions, statements or deputations will not be permitted in connection with any matters that:

(g) contain an allegation against, or comments about, the conduct of individual Members or Officers.

Secondly we have the unnecessary restriction on democratic free speech. Standing Order 1.21.5 also states: "Petitions, statements or deputations will not be permitted in connection with any matters that:

(c) are defamatory, frivolous or offensive." It is my belief that it is for the courts to decide if any statement is defamatory, not the decision of the Clerk of Avon Fire Authority - particularly given the wide range of defences available to individuals. This is clearly an unacceptable restriction.

Finally we have the privileged position position given to Trade Unions under these recently redrafted Standing Orders. Other bodies have to give two full working days notice (1.21.2) and provide the full text of any statement they propose to deliver(1.21.3). Trade Unions by contrast need only notify the Clerk at the start of the meeting and provide no text of what they are about to say(1.21A.3). This is I believe discriminatory. I have been an active Trade Unionist all my working life but find it difficult to understand how trade union employee members can have their views heard by the Fire Authority but those non union members cannot. Section 1.21.5 (f) makes this very clear: " Petitions, statements or deputations will not be permitted in connection with any matters that: (f) are matters from employees or former employees connected with their employment or former employment."

I would urge the Fire Authority to review these Standing Orders to ensure Accountability, Democratic Free Speech, and non discrimination.

Kevin Geraghty.

Guy Goodman

From: Nelum Arshad [REDACTED]
Sent: 24 July 2017 22:14
To: The Clerk
Subject: Home Office Report

Follow Up Flag: Follow up
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Accountability at Avon FRS following the Home Office Report

It is clear that the Home Office report has identified three key features of life at Avon FRS.

Firstly we have an atmosphere of fear. Paragraph 176 uses the expression "bullying and harassment endemic"

Secondly we have the inability of senior officers to be held responsible for their actions. Paragraph 205 states "The SMB and the CFO in particular, have been left unchallenged and not properly held to account for too long."

Thirdly we have the appalling record on recruitment and retention of Black and Minority Ethnic members of our diverse community. Paragraph 159 "The Authority also has serious issues with the equality and diversity of its workforce"

The report makes it clear that I have been bullied by [REDACTED] and I would ask you again to follow paragraph 205 and hold them to account for their actions.

Firstly we have [REDACTED] Paragraph 163 refers to the Employment Tribunal findings. Firstly he begins disciplinary proceedings against me BECAUSE I raised a claim of race discrimination. Secondly he suspends me BECAUSE he thought she was going to SARI for support. I was dismissed largely it seems "ignoring people". No action of any description has been taken against this high status white male for action against the law - namely the Equality Act 2010 - a far worse offense than anything I was accused of. A clearer example of the bullying and harassment referred to in the report it is hard to imagine. I urge you to begin the process of accountability and begin disciplinary investigations into this bully.

Secondly we have [REDACTED]'s bullying of myself is outlined clearly in the Home Office Report.

Paragraph 161 talks about her approach to me raising the claim of race discrimination in AFRS as being "heavy handed" and "more aligned to a disciplinary process than a process designed to support an individual who has reported work related stress". Paragraph 162 "Employees should not be discouraged from using their employer's grievance procedures for fear that if their grievance is not upheld they will then face censure for raising issues in the first place". My subsequent grievance against [REDACTED] for this approach met with the unprecedented decision in breach of all guidelines to deny me a grievance resolution meeting against my will. My subsequent claim that this was a discriminatory decision met with a refusal to investigate by the Employer, a decision that the Home Office Report quotes as "to have been inappropriate and punitive". As paragraph 164 in the Report says about the Employer: "It failed to properly address the complainant's claim of race discrimination..". This is a great example of [REDACTED]'s bullying approach. It seems that even to bring a grievance out against her for her appalling heavy handedness resulted in the

suspension of the AFRS Grievance procedure. When I subsequently claimed that this decision was racially motivated the managers refused to investigate. It seems to be impossible to hold [REDACTED] to account for her bullying. Paragraph 205 rings true: "The SMB and the CFO in particular, have been left unchallenged and not properly held to account for too long." I urge you once again to begin the process of accountability and begin disciplinary investigations into this bully.

I must say I have been disappointed in the response of the Fire Authority to the shocking findings of my Employment Tribunal Case. The Home Office Report supports this view. Paragraphs 164 to 174 give full details into why this response has been inadequate.

Given the inadequacy of this response I would like the Fire Authority to do the following:

1. Carry out a full external investigation into my race discrimination claim. [REDACTED]
2. Carry out a full investigation into why I remain the only member of staff to be dismissed from the organisation for misconduct. The Home Office report paragraph 175 comments on this in detail, and the fact that some of those found guilty of Gross misconduct were not dismissed! It does not say I was the only Muslim employee out of 800+ at the time. Freedom of information requests suggest that this stretches back over more than three years. I would be happy to share this as part of any investigation into this mistreatment. [REDACTED]
3. Carry out an investigation into the employment into my post soon after my dismissal [REDACTED]

I note that the new chair in his statement has said: " We must demonstrate through actions, not words how we will improve." I urge you to both take action against these two individuals and investigate these past abuses if you are to begin to restore the reputation of this Fire Service in the eyes of our communities.

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Guy Goodman

From: Nila Rehman [REDACTED]
Sent: 24 July 2017 22:32
To: The Clerk
Subject: A personal response to the debate on BAME employment at Avon FRS following the Home Office report".

Importance: High

Follow Up Flag: Follow up
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Dear Sir/Madam,

I requests to read out this statement at Thursday's Fire Authority meeting under Standing Order 21.

My name is Nila Rehman

I had the unfortunate experience to work for Avon Fire and Rescue (AFRS) from May 2007 to February 2010. I joined as BME advocate on a two year contract as part of the Community Safety team. I consider that I was subject to Discrimination and Victimisation over this period. I am a female Muslim from a Pakistani background. I also consider that AFRS is not a safe place for those to work with an Asian Muslim background.

Evidence:

1. My application to have my post renewed. I was concerned that I was not wanted when the holder of the parallel post - Older Person Advocate - was asked if they wanted to stay without any need to reapply for their post. I was told I had to reapply and face competition. I did apply for my BME Advocate post, was interviewed and was told I was unsuccessful. I took out a formal grievance to protest this and was successful. My contract was renewed and compensation paid to the candidate initially offered the post. It turns out that the preferred candidate was given the job description minus the requirement of a second language (which the managers were aware he did not have) in order to ensure his success. No managers were held accountable for this crude manipulation.

2. Victimisation took place after my successful grievance and contract renewal. I felt more isolated than ever. For example managers [REDACTED] would not acknowledge me in the office and the corridors and would often exclude me from office meetings. This treatment led me to experience illness, loss of sleep and to seek counselling. I did not see out the one year contract extension (so painfully won) and left the organisation.

3. I did not feel that AFRS is a safe workplace for someone of my background. There were unfortunate examples even before my successful contract renewal. Some examples:

* I attended a Friday morning 3 hour Cert Education course as part of my professional development. I was the only AFRS attendee who had to "pay" the hours back.

* I did not get the same support from the other members of the team given to the Older Person Advocate - eg coming out with me on visits. Indeed a remark was made about BME visits being harder "as most of them do not speak English".

* After visiting the overseas Chinese association, on my return to the office I was met with remarks like " what number did you order?".

* A remark by a team member that "Asian clothes were like bedclothes" was greeted with laughter.

* My manager, aware that I was fasting during Ramadan, proceeded to offer me cake and when I declined sat down with the rest of the office to consume it.

These incidents, while in isolation seemingly small, added to my feeling of exclusion.

A feeling confirmed by the attempt to get rid of me through a manipulation of the interview process.

My only regret was why I did not have the strength to confront or report the perpetrators, I suppose I needed to retain my employment, the animosity I received after raising a successful grievance just proves what I believed.

The equality officer was able to regularly organise lunch meetings at her boyfriend's restaurant and these were paid for by the Brigade, so every attempt was made to please the equalities officer, I believe an independent investigation would reveal further evidence that AFRS had breached the Equalities Act.

4. The contrast with my present post could not be more graphic. I am a Curriculum Manager with City of Bristol College and am accorded the respect as a female Asian Muslim Woman in accordance with a modern workplace. This is a safe place to work. Hindsight tells me that I should have taken legal action against AFRS for their treatment, but at the time my confidence was obviously very low.

5. My experience tells me that AFRS does not want Muslim employees. The two others I know of have now left. The one Muslim firefighter would tell me of all the problems he had working on station. I know Mrs Arshed from the Support Staff has won thousands of pounds Tribunal Compensation after being victimised for raising a race Discrimination allegation and going to SARI(Stand against Racism and Inequality) for support.

6. AFRS has up to a thousand employees, full, part time and retained. At the time of my employment I only knew of 2 other muslim members of staff, I believe the number is still extremely low. AFRS ticks all the right boxes - it has an Equalities Officer and attends all the right meetings. The reality for people from my background is rather different.

Nila Rehman (Curriculum Manager)

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