

# SOUTH YORKSHIRE FIRE AND RESCUE AUTHORITY

## APPEALS AND STANDARDS COMMITTEE

1 DECEMBER 2020

PRESENT: Councillor C Ross (in the Chair)  
Councillors: P Price, S Ayris, R Frost, C Hogarth and  
S M Richards  
  
G Kirk, M McCarthy and A Shirt (Barnsley MBC)  
  
S Slater, L Stones and C Lewis (South Yorkshire Fire &  
Rescue)

1 ELECTION OF CHAIR.

RESOLVED – That Councillor Ross be elected Chair for this appeal.

2 APOLOGIES.

None.

3 ANNOUNCEMENTS.

None.

4 URGENT ITEMS.

None.

5 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS.

RESOLVED – That agenda items 7 and 8 be considered in the absence of the public and press.

6 DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA.

None.

7 FIREFIGHTERS' PENSION SCHEME INTERNAL DISPUTE RESOLUTION PROCEDURE STAGE 2 - 1ST APPLICATION

The Appeals and Standards Committee met to consider an application under Stage Two of the Internal Dispute Resolution Procedure (IDRP), which requested the Appeals and Standards Committee to reconsider a decision made under Section 50(2)(a) of the Pensions Act 1995.

The Appeals and Standards Committee was requested to note that the Stage Two Appeal was being presented following the applicant's unsuccessful IDRP Stage

One Application, as determined by S Slater, Financial Services Manager, in her capacity as nominated decision maker on behalf of the Chief Fire Officer in the notice of decision dated 28 February 2020.

RESOLVED – That after careful consideration of all aspects of the application, the Appeals and Standards Committee agreed to dismiss the appeal and uphold the decision made at Stage One.

8 FIREFIGHTERS' PENSION SCHEME INTERNAL DISPUTE RESOLUTION  
PROCEDURE STAGE 2 - 2ND APPLICATION

The Appeals and Standards Committee met to consider an application under Stage Two of the Internal Dispute Resolution Procedure (IDRP), which requested the Appeals and Standards Committee to reconsider a decision made under Section 50(2)(a) of the Pensions Act 1995.

The Appeals and Standards Committee was requested to note that the Stage Two Appeal was being presented following the applicant's unsuccessful IDRP Stage One Application, as determined by S Kelsey, Head of Human Resources, in her capacity as nominated decision maker on behalf of the Chief Fire Officer in the notice of decision dated 24 April 2020.

In relation to Section 1, points 1.1 to 1.7 of the Application, the Committee requested it be placed on record that, Members of the Appeals and Standards Committee do not have the jurisdiction to consider the points raised in relation to the opinion of the Independent Qualified Medical Practitioner (IQMP).

RESOLVED – That after careful consideration of all aspects of the application, the Appeals and Standards Committee agreed to:-

- i) Dismiss Section 1, points 1.1-1.7, Section 2, points 2.3-2.9 and Section 3, points 3.1-3.3 of the Appeal Application and uphold the decision made at Stage One.
- ii) Replace the decision made at Stage One in relation to Section 2, point 2.1 of the Appeal Application and concurred that South Yorkshire Fire and Rescue should have allowed the Applicant to undertake Modified Duties for a period of 12 weeks whilst on their RDS contract.
- iii) A payment being calculated and paid as soon as possible and considerations given as to whether this would have an impact upon the Applicant's current pension amount.

CHAIR