



20 May 2024

Ms. J Rathbone MS
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

Sent via email: seneddequality@senedd.wales

Dear Ms. Rathbone,

Re: Fire and Rescue Services in Wales – clarifications and actions

I write in response to your letter dated 14 May 2024, received via email, in connection with the above. Thank you for asking if we would wish to submit any further clarification or context.

The Independent Investigator's report was shared with the complainant with the following conditions:

These documents have been disclosed for the sole use and purpose of this litigation. The documents contain confidential information and personal information relating to the Respondents and other employees of North Wales Fire and Rescue Service. The Respondents do not authorise or agree to the use or disclosure of these documents other than for the purpose of this litigation.

Therefore, it would be useful to know if you have been provided with a copy of the full report.

As you say, it would be inappropriate of us to comment on individual aspects of the case whilst the preliminary Employment Tribunal hearing is adjourned for the judge to consider the application. However, I would say that our approach to misconduct follows the ACAS disciplinary process and that we must take a view, in the moment, as to whether formal or informal approaches are the best way to help set, maintain or improve the culture of our organisation. Informal resolution of low-level issues can be appropriate where that provides a greater chance for the parties to learn and amend their behaviour in future.

The ACAS model disciplinary process states that "Before starting a disciplinary procedure, the employer should first see whether the problem can be resolved in an informal way. This can often be the quickest and easiest solution. The employer should try solving the issue with their employee by:

- *privately talking with them and any other staff involved*
- *listening to their point of view*
- *agreeing improvements to be made*
- *setting up a training or development plan, if it's a performance issue"*

What has not been publicised are the mitigating factors mentioned in the report which was taken into consideration by the Clerk to North Wales Fire and Rescue Authority when determining the next steps to resolve the issue.

Yours sincerely,



Dawn Docx
Chief Fire Officer



Dylan Rees
Chair of the Authority