



Circular number	41/2004	Date issued	29 September 2004
This circular is	For information	No response required	
This circular is	Relevant to the National Framework		
Status	This circular is to inform you "Medical and Occupational Evidence for Recruitment and Retention in the Fire and Rescue Service" is now available.		

Medical and Occupational Evidence for Recruitment and Retention in the Fire and Rescue

Issued by:

Gill McManus
Fire Service Effectiveness Division
Fire and rescue Service Directorate

Addressed to:

The Chief Executive to the County Council
The Clerk to the Fire and Rescue Authority
The Clerk to the Fire and Civil Defence Authority
The Clerk to the Combined Fire and Rescue Authority
The Commissioner of the London Fire and Emergency Planning Authority
The Chief Fire Officer

Please forward to:

Your medical adviser/occupational health unit.
Human Resources personnel.

Summary

From 1 October 2004 the employment provisions of the Disability Discrimination (Amendment) Act (2003) will include firefighting.

Decisions about recruitment and retention will need to be based on assessment of the individual against medical and occupational evidence rather than on prescriptive pass/fail criteria.

For further information, contact:

Bernadette Ogunrinde
John Johnstone

Direct line **020 7944 6832**

020 7944 3773

Fax **020 7944 2219**

E-mail Bernadette.Ogunrinde@odpm.gsi.gov.uk

John.Johnstone@odpm.gsi.gov.uk

1.0 Introduction

- 1.1 This circular is to inform the Fire and Rescue Service that the “Medical and Occupational Evidence for Recruitment and Retention in the Fire and Rescue Service” document will be available from the 29 September. A copy of the document is attached.

2.0 Information and Guidance

- 2.1 The document, previously referred to as "Draft Medical Guidelines for the Fire and Rescue Service", has been developed with input from a steering group comprised of key stakeholders from the Fire and Rescue Service and the Disability Rights Commission (DRC). The final version of the document was produced after taking into account comments on the draft document received during a consultation exercise which ended on 10th September 2004.
- 2.2 This document has been produced to aid the Service in meeting its new obligations in light of the legislative changes of the Disability Discrimination (Amendment) Act (2003) which come into effect on 1 October 2004. Fire and rescue authorities should be aware that, as the employing organisation, it is their responsibility to ensure compliance with the provisions of the Act.
- 2.3 From 1 October decisions about recruitment and retention will need to be based on individual, evidence based assessments, rather than the reliance previously placed on pass or fail criteria.
- 2.4 For this reason the document has not been designed to provide didactic or prescriptive guidelines to direct decisions that managers should take, as this would not be in keeping with the provisions of the DDA. Instead, it incorporates current available evidence on a number of the most prevalent medical reasons why applicants to the service are rejected or serving operational personnel are medically discharged. Its purpose is to help medical advisers and occupational health professionals in providing advice to service managers to enable them to reach informed judgements on medical and fitness issues surrounding the recruitment, retention and redeployment of fire and rescue service staff, in accordance with Fire and rescue authorities statutory obligations.
- 2.5 Previously issued central guidance on a range of issues, listed at Annex A, has now been withdrawn.
- 2.6 Guidance on human resources issues surrounding recruitment, retention and redeployment for fire and rescue service managers is being developed by a service stakeholder group led by the DRC. This document will be available in draft form from the 30 September 2004. The finalised version of the document will be available in January 2005.

- 2.7** Senior managers are advised to refer to the DRC's code of practice on employment and occupation or to contact the DRC and/or the Office of the Deputy Prime Minister for help and advice.
- 2.8** Senior managers are reminded that from 1 October it will be unlawful to exclude an individual from employment purely on the basis of a medical condition or disability, whether or not this would previously have caused their rejection at point of entry or their medical discharge from the service. In every case managers will be required to consider the needs of the individual, conduct an appropriate risk assessment and consider whether any reasonable adjustments can be made that would facilitate either their recruitment or return.
- 2.9** The "Medical and Occupational Evidence for Recruitment and Retention in the Fire and Rescue Service" document can be accessed from the ODPM website at:http://www.odpm.gov.uk/stellent/groups/odpm_control/documents/contentservertemplate/odpm_index.hcst?n=696&l=2
- 2.10** If you have any enquiries about this circular please contact either Bernadette Ogunrinde on 0207 944 6832 or John Johnstone on 0207 944 3773.

GILL McMANUS

**Head of HR Modernisation Branch
Fire Service Effectiveness Division**

ANNEX A

LIST OF CENTRAL GUIDANCE WITHDRAWN BY THE ISSUE OF FIRE AND RESCUE SERVICE CIRCULAR 41/2004

Fire Service Circular 1/1989

DCOL 3/1995, paragraph K15 (The employment of insulin-dependent diabetics as operational firefighters)

Fire Service Circular 9/1996 NB. The withdrawal of this circular does not also withdraw the accompanying report “Aids to vision on the fireground” by the department of optometry and visual science, City University, London (1996)

Fire Service Circular 16/2004