

Fire and Rescue Service Conditions of Service – Barriers to Change review

No.	Recommendation	LFRS position
1	<p><u>Working Environment</u></p> <p>Culture and trust are at the centre of many of the changes required to create a high performing service aligned to the needs of the people it serves. A consistent employee engagement survey should be developed and deployed across the service (allowing inter authority comparisons) and ‘hard wired’ into management objectives.</p>	<p>We have a good strength here and it is embedded. We realigned all of our corporate KPIs and this includes staff engagement measured by an anonymous staff engagement survey. This gives us an indicator that is reported to the CFA and therefore to the public. The survey mirrors the questions asked by the Civil Service People Survey. It is included within our annual service plan and linked to our key objectives and values. We also have evidence of actions taken as a result that included a totally revised staff communication plan, Action learning sets for staff, actions communicated via the CFO blog, revised promotions and development processes etc.</p> <p>We do not support a centrally driven survey.</p>
2	<p>Early engagement with employee representatives at the earliest opportunity should be a feature of all change programmes.</p>	<p>Excellent relationships have existed with employee representatives particularly with Unison and FBU for many years which have been maintained following changes in union representatives. This is in marked contrast to many other services. Within the last three years we have included ‘Staff consultation’ as a standing agenda item on both SMT and CPB. The CPB programme is also new to the service and introduces a structure with change programmes that ensures early proportionate engagement with representatives. An example here could be NWS CFR project or the establishment of USAR DCP.</p>
3	<p>Fire and rescue services should deploy training in effective change management, leadership and employee engagement in addition to Industrial Relations.</p>	<p>I would point to action learning sets, flexi Fridays, directorate staff development days and project management training. Individuals need to know the basics before what the development investment in next year’s budget will assist with. In 2017/18 more structural management development is being introduced to bring our procedures into line and encompass all managers. The Workforce Development activities include priority areas established such as a Healthy Organisational Culture, Sustainable Workforce, Capable Workforce, Effective Leadership and Managers.</p>
4	<p>Increased importance should be placed by fire and rescue services on employee communication – appropriate management training and processes (direct to employee) should be implemented.</p>	<p>I would refer to answer one and two evidence of the staff communication programme.</p> <ul style="list-style-type: none"> Routine Briefing Appraisals Principal Officer Visits Significant investment of time by us in quote ‘direct to employee’ engagement

5	Fire and rescue services should instigate audits of the flow of management information reaching the workforce with the aim of improving the flow of information to the frontline firefighter.	Again as above. Evidence is available of the 'checking' process in relation to routine briefing but there is also plenty of good practise to note due to our extensive PO visit programme which not only does the frontline firefighter but every team and separately FDS officers (team talk) so that they are also appropriately informed to speak to frontline staff effectively.
6	Management performance objectives should be hard wired to the results of an annual employee engagement and communication survey.	This is in our current staff appraisal process but a revamped process is being introduced in 2017/18. Certainly the thread is there in terms of the annual service plan, KPIs and objectives. It seems to me that this question actually relates to whether our Annual Service Plan takes on board options put forward by staff as part of the engagement process, which we can point to examples.
7	Unconscious bias training should be rolled out across the fire and rescue service.	This features in many of the programmes we undertake in particular the equality and diversity activity and more senior input. It is included as part of the development of workplans for training activity.
8	The leadership of the fire and rescue service (represented by the LGA and CFOA) and the employee representative together with special interest groups representing women and black and minority ethnic firefighters should publish a memorandum of understanding as to how people will be treated.	This recommendation is not addressed to LCFA but a link can be drawn with our intention to set our vision for where we go next on the equalities agenda for LFRS.
9	Research should be directed at how the cadet scheme could be utilised to widen the diversity of the service and how the interest in supporting the fire service can be maintained when the cadets leave the scheme (impacting both equality and potentially the retained duty system).	We have a Cadet Programme and value of locating Units in RDS locations is acknowledged but this recommendation is not seen as relevant to LCFA. The Service is exploring the use of apprenticeship schemes in this area as a pathway to employment for young people.

10	Each fire and rescue service should maintain an active register of firefighters with second jobs. A refusal or failure to declare a second job should be treated as a serious disciplinary matter.	All of our WT Firefighters have to formally seek permission to hold a second job. As a disciplinary matter the definition of serious needs espousing. No notification normally comes to light with other issues and the combination is likely to be serious. In LFRS we have disciplined individuals who have either not secured permission for secondary employment or have breached the conditions of the approval.
11	Implement a single technological/equipment evaluation facility.	This is a good point that the sector should progress and links into the CFOA workstreams providing it is appropriate (ie market competition retained).
12	The fire and rescue services in conjunction with the DCLG should create a national communication programme highlighting the range of activities and skills beyond fighting fire currently undertaken by firefighters. The aim of this would be to raise public awareness that creating a flexible fire and rescue service alighted to prevention is key to increasing safety in the local community.	This is directed to government and CFOA. To highlight the range of the role would be a useful tool in public awareness and recruitment. Public perception of the role of a FF in the main remains very narrow objective should be to raise awareness whilst strengthening brand.
13	<p><u>Conditions of Service</u></p> <p>Slim down and modernise the Grey Book, removing duty systems and reference to the role maps and national occupational standards and replace with contracts of employment.</p>	<p>Individuals have contracts of employment. The 'grey book' as modified locally is part of the contract.</p> <p>The Service would support, as modified locally, that role maps and national occupational standards should be removed, but the issue is an NJC issue which is being considered.</p>
14	Minimum night time shift hours should be removed from the Grey Book	NJC issue - working time directive would apply

15	Additional payments, collaboration and use of new technology should be removed from the Grey Book and made the subject of local negotiation.	<p>NJC issue</p> <p>Although the intent is understood, what needs to be recognised is these are already individual conditions of employment which cannot be removed without moving to individual contractual negotiation (probably requiring issuing of termination notices and reengagement offers).</p> <p>Making issues subject to local negotiation is not the panacea. Although unpopular my personal view is the problem with the grey book is the inability for services to understand and utilise the flexibilities. These will not automatically appear by localising everything</p>
16	The national employers, government and employee representatives should, at an appropriate time following the current dispute and in support of establishing a changed culture (as detailed earlier) meet and agree a redefined national joint protocol on industrial relations.	<p>NJC issue being progressed at that level.</p> <p>The issue here is the right to strike- to negotiate the condition away would require a significant increase in pay (not justified) or government action. For a fundamental emergency service union it is unrealistic to expect an agreement to totally protect emergency scenarios in periods of strike action. It would require government action or TUC agreement (neither scenario is likely). Principle already exists.</p>
17	The ability to compulsory move an individual from the flexible duty system should be introduced.	<p>NJC issue</p> <p>Agreed intent but unlikely to be by agreement and whilst 1992 pension fund employees are in active service a significant issue.</p>
18	<p><u>Industrial Relations</u></p> <p>The NJC should be retained for the purposes of national pay bargaining for basic pay whilst reforming itself to represent employers and employees on a more local basis for all other conditions of service including incremental pay for acquiring competencies beyond 'safe to ride'.</p>	<p>NJC issue – core conditions of employment are wider than 'pay'</p> <p>This is similar to the engineering employers' federation and other trade bodies when they are limited to agreeing a base national award which individuals employers then add local deals to and administering the training body levy etc. Not aware of a national regional and then local model, where the power to change is at local level.</p> <p>Do not see how local basis can work other than by individual service. This would require experience and expertise that does not currently exist.</p>

19	The National Joint Council should consider operating regionally to reflect the requirements of the different fire authorities whilst retaining a national umbrella with respect to basic pay.	NJC issue Services within a region are not aligned in negotiation terms. Difficult to envisage how the regional process would work.
20	Remove Technical Advisory Panels and Resolution Advisory Panels (ACAS) and replace with a direct to ACAS approach. Fire Authorities are undertaking a significant amount of local negotiation as they agree positions outwith the Grey Book locally and this will not significantly increase workload of cost – in fact the Knight review suggested that local negotiations save money.	NJC issue LFRS has not used RAP or TAP, a communication exercise of benefits and difficulties would be of value to ensure a decision is made on an informed basis. If removed there will be a need to ensure expertise and experience is available. The principles of negotiation and consultation need to be adhered to. Not just the “ this is it” approach Local negotiations if done well would provide better outcomes
21	Government should bring forward appropriate legislation to remove the protection afforded under the Act to unions when their collective strike action, or action short of strike, impedes the fire service from making an emergency response. The right to strike being retained for nonemergency activities.	Government issue – They have intimated they will not adopt this recommendation.

22	<p>The government should recognise the increasing view that the current right to withdraw labour (take strike action) is incompatible with the expectations that public has of an emergency service. Government should instigate consultation with a view to agreeing the with employees impacted a no strike agreement in emergency situations, the right to strike being retained for non-emergency activities.</p>	Government issue – see 21
23	<p>The chair of the NJC should instigate an independent review of the structure and representative make-up of the NJC to enable it to perform effective at both a local and national level – noting that a number of contributors, from both the employers and the representatives, felt that they were excluded from the council.</p> <p><u>Retained Duty System</u></p>	<p>NJC issue</p> <p>Unless everybody has a seat at the table which would be unwieldly difficult to see this as a practical suggestion.</p>
24	<p>Fire and rescue authorities should adopt duty systems and staffing which align firefighter availability to the planned work local (e.g. community safety) whilst providing response cover appropriate to the IRMP should be encouraged.</p>	<p>We have good evidence of this and the right split between 2-2-4, DC, DCP and RDS. This can be seen by operational activity and hub disposition of CFS.</p>

25	Fire and rescue authorities should be required to prove an annual statement on the use of retained firefighters. Any decision not to use or to cease to use retained firefighters should be communicated in this statement and underpinned with operational evidence provided by the FRS.	<p>Although on the face of it a simple issue with no difficulty, it depends what is required.</p> <p>My personal view, this might be unhelpful. Duty systems are selected as an element of an IRMP process and any change to duty systems that generate a material change in management of community risk would be subject to formal public consultation.</p>
26	As part of the annual statement fire and rescue services should be required to provide an annual commentary of the number and use of retained firefighters. In particular to report on the level of mixed crewing or co-working with whole-time personnel.	<p>It is not an issue to LFRS. RDS now cover on WT overtime. Plenty of dual contracts. Recording will be via Gartan.</p>
27	Legislation should be brought forward to provide employment protection to firefighters employed on the retained duty system. This legislation is already in place for other groups (military reservists, magistrates and so on).	<p>It is thought this is a Government issue. The situation is not explained, staff already have protection with us. This would appear to be giving RDS a protection on their main employer in terms of release, on that basis would support. But would not encourage employer involvement and would be seen as a burden which might hamper co-operation.</p>
28	A national awareness programme for retained duty system personnel should be produced	<p>A government responsibility</p> <p>Agreed – however it should complement local recruitment not direct it. The military whilst a different beast have a very slick national awareness programme re: reservists something that could be developed for FRSs.</p>
29	Trial and evaluate, in a limited number of fire and rescue services, the use of an annual bounty payment for employers of retained firefighters.	<p>Not sure of the benefit of this proposal for main employers, will cause issues with self-employed RDS would not want to be in the trial.</p>

<u>Management of the Fire & Rescue Service</u>		
30	<p>Fire authorities should keep the number and level of commitment of fire authority elected members under review. The right number may differ by authority but should be large enough to allow scrutiny without becoming burdensome on operational delivery.</p>	<p>Members issue.</p>
31	<p>Recruitment and selection academic standards should be immediately raised.</p>	<p>Agreed, we have raised the standard across the board but issues arise. The reality is we have adjusted recruitment and selection standards to reflect the broader role that firefighters are/will be expected to fulfil. Our standards reflect our significant RDS element. This is not graduate level entry.</p>
32	<p>Fire and rescue services should create critical mass by collaborating in recruitment including lateral recruitment into 'fast track' management programmes.</p>	<p>This recommendation has both opportunities and problems. We do not want to end up possibly having to pool oversupply from other authorities when we need new fresh talent and to address our ageing profile. Cannot see a problem with collaboration on initial recruitment or on opening up opportunities for external appointments, but not sure that the "fast track" lateral movement works.</p>
33	<p>Fire and rescue services should explore a collaborative approach to the creation of succession plans and senior leader programmes with more cross authority developmental moves.</p>	<p>Agreed. In principle fine the detail could be awkward – a number of these recommendations are leading to regional fire services combinations, has this now been overtaken by events? Cross sector development is also important – particularly within the context of 'duty to collaborate' legislation being brought forward.</p>
34	<p>Where collaboration could lead to more formal mergers, Government should find transformational funding to support the creation of larger fire and rescue services that offer critical mass in areas of technology introduction, recruitment, succession and development.</p>	<p>Government issue Debate has moved on from when this was written.</p>

35	Fire and rescue service should maintain an up-to-date strategic workforce plan.	LFRS can provide evidence in this respect. A number of strands are coming together (development, recruitment to replace ageing workforce, increase in educational ability, fast track pools of talent, wastage and retirement profile).
36	Fire and rescue services that cannot offer promotional opportunities away from the original place of work/watch then preparatory management training should be available as part of the strategic workforce development plan.	We are big enough to offer management development opportunities together with the pre opportunity parts but if this is suggesting to the smaller services that they create posts additional to the establishment, then this is a non-starter. Assumes each authority has the same standard and aspiration which is not the case.
37	The expectation that all firefighters attain the same, maximum, level of competency should be removed. The wider and increasing range of role and activities undertaken by firefighters calls for a more sophisticated alignment of capability with the activity required in support of the local IRMP than can be provided by the view that 'a firefighter is a firefighter'.	<p>This proposal needs to be properly researched and articulated so that the basic requirements of the role are understood and a clear view of what the role will look like will emerge. But if we are talking RDS v WT then this is fair comment and aligns to the work being done in TOR re training time and Learn Pro etc.</p> <p>Firefighters are expected to maintain a generic minimum standard with specialisms added for some firefighters in accordance with the risk profile of the area in which they work.</p> <p>I think this needs to be considered in light of the other points he makes in respect of local determination and regional NJC etc. We have addressed this in our view of 'a firefighter is a firefighter' in that we expect all to be able to deal with incidents but by virtue of the time available a wholetime individual would be able to be trained in additional equipment . This however infers different levels of pay determined by skill attainment</p>
38	Training and pay should reflect a 'safe to ride' measure – basic core skills and core pay followed by competency based increments as required (which in the event of losing that competency means that the firefighter retains their job albeit without that competency).	<p>Grey Book issue</p> <p>As above. Basic firefighter with assessments equating to more pay would seem to be the suggestion of the way forward.</p> <p>I see potential value in this dependant on pay rates and effects on budgets– my view is all basic units then say 3 of 4 elements (competent) then 2 from x additional units equals current competent plus CPD. Then an opportunity to increase slightly with a ceiling but clearly needs developing. Service would choose the elements. This would enable progression with NHS/driving/care etc</p>

39	To create and maintain (in the face of decreasing numbers) a cadre of managers capable of becoming future fire and rescue service leaders, a standardised industry wide approach to leadership development should be adopted.	Cannot disagree in principle but would evidence ELP and the differing standards that delivers – needs a very robust selection and assessment process
40	Fire and rescue services not using the ELP should reconsider doing so.	Any product would require quality assurance. Need to be careful that Fire does not get too prescriptive over how leadership development should be handled. I think that there is an important local context which influences the approach to developing effective leaders.
41	A lateral, industry wide, recruitment scheme should be created. This will fast track managers through the experiential requirements into senior roles.	National issue I would see more value in a sector wide graduate scheme proposal. Individuals could then be given operational learning as they progress having been grounded in the sector. How will these managers be validated as competent at incidents to direct others, so unless these fast track managers go straight to senior command such as Gold – they will be exposed with little operational experience.
42	The Gold Book (conditions of service for principal officers) should be removed along with that for Brigade Managers. With pay and conditions of service agreed locally subject to the introduction of a more sophisticated job evaluation programme that better reflects job size, role complexity and other duties in a way which allows inter authority comparison.	I do not see the gold book as being a barrier anywhere. (I am sure the APFO FBU would say the same also with some validity). An outcome from the review was always going to be a system of comparison and I would have bet on an evaluation scheme. The difficulty as I see it is that no single fire structure exists so each fire authority employs a Chief, who is unique to that authority. Would say Lancashire agree that the roles in Kent and Essex are the same or that a Met is more risky/complex or that a county chief is more challenging or has a wider remit. Comparators come from other services and the inter authority comparison has driven the pay agenda . The current arrangement of linking PO pay to the main group and performance appraisal is seen as robust. In the same way as the FBU in respect of the Grey Book, APFO would want to maintain national conditions of service for Brigade Managers. That said, APFO Council does accept that the existing Gold Book needs to be reviewed and revised.
43	All fire and rescue services and fire authorities should review the accessibility of their pay policy statements.	Not an issue and It is on the website

44	CFOA should consider increasing the term of office for the role of president from 1 year to 2 or 3 years – to provide increased stability of leadership.	Implemented prior to review outcome
45	Finally all participants in the fire industry should adopt the principal of: “Where change is common sense it should become common practice ”.	NA Agreed but word of caution, one person’s common sense is another’s madness