



Fire and Rescue Service  
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## **SCRUTINY AND PERFORMANCE COMMITTEE**

Wednesday 7 December 2016  
2.15 pm  
Fire and Rescue Service Headquarters,  
Pirehill

A Chair and Vice-Chair's Preview (for Mrs K M Banks and Mr R J Clarke) has been arranged for 1.45 pm)

Howard Norris  
Secretary to the Authority  
28 November 2016

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## **A G E N D A**

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes of the meeting held on 19 October 2016**
4. **Retained Duty System**  
Report of Tim Hyde, Director of Response
5. **Impact of the 2015 Community Safety Options Changes**  
Report of Tim Hyde, Director of Response

6. **Items for Future Meetings**

To be reviewed by Members

2 February 2017	Performance Report
	False Alarms Policy Update
	Benefits of Smoke Alarms/Fire Suppressant Systems and the consequent near misses
On-going over the Next 12 Months	Response Standards
Future Items date not yet specified	Previous Working Group updates
	Scrutiny of the Innovations and Transformation Process
	Working with H M Prison Service Update
	Outcomes of the EXIT Programme
	Slitting Mill Fire Rugeley

7. **Date of Next Meeting** – The next meeting of this Committee will be held on Thursday 2 February 2017 at 2.15 pm

8. **Exclusion of the Public**

The Chairman to move:-

“That the public be excluded from the meeting for the following items of business which involve the likely disclosure of exempt information as defined in the paragraphs of Part I of Schedule 12A of the Local Government Act 1972 indicated below”.

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**PART TWO**

9. **Exempt Minutes of the Meeting held on 19 October 2016**  
(exemption paragraph 3)

10. **Improving Community Cohesion**  
(exemption paragraph 3)

Report by Brian Moss, Northern Service Delivery Group Lead Officer

**MINUTES OF THE SCRUTINY AND PERFORMANCE COMMITTEE  
HELD ON 19 OCTOBER 2016**

Present: Mrs K M Banks (Chairman)

Chapman, F A	Day, W D
Clarke, R J	Marshall, R J
Davies, M W	Wood, Miss C B

**Apologies:-** Irving, R A and Winnington, M J

**Also in Attendance:** Mr J Bywater, Head of Central Prevent and Protect, Mr H Norris, Secretary, Mr B Preston, Safety Plan Manager and Mr D Askey, Business Intelligence Team Planning and Information Manager.

**PART ONE**

Documents referred to in these minutes as schedules are not appended but will be attached to the signed copy of the minutes. Copies, or specific information in them, may be available on request.

**Minutes of the Meeting held on 13 July 2016**

15. **RESOLVED** – That the Minutes of the Scrutiny and Performance Committee held on 13 July 2016 be confirmed and signed by the Chairman.

**Explanation of the Statistical Process Control Charts**

16. Mr Askey gave a presentation to Members explaining how Statistical Process Control (SPC) was used to monitor performance, the key elements of an SPC chart and the normal and special causation identified in SPC charts.

In response to a question Mr Askey advised that as the performance improved then the upper control limit would come down over time. The control limits were calculated on a yearly basis against the last three fiscal years and would alter based on two standard deviations of the mean average. Prolonged bias could cause performance to occur consistently one side of the mean (six or more times). Six or more events which were trending in the same direction indicated a trend in performance. Issues like these posed the question of what was influencing performance to produce these effects, even though they were not producing unusual levels of performance. The Service and Members could look into what could be influencing performance to show these unusual patterns. Where performance breached the Upper or Lower Control Limit, Special Causation is said to have occurred. Breaching the Lower Control Limit was as important as breaching the Upper Control Limit. The Service would then look to understand what these factors were.

Members thanked Mr Askey for his presentation.

17. **RESOLVED** – That the presentation on Statistical Process Control be noted.

## Performance Report

18. The upward trend in All Attended Incidents continued (since December 2015), with August 2016 showing the highest number since July 2014. The most prevalent type of incident for this year to date was Secondary Fires followed by False Alarms Good Intent.

Secondary Fires had been on a downward trend since the beginning of 2013/14 which continued to date. For the last two years False Alarms Good Intent had been the most predominant category for All Attended Incidents. However at mid-year the number of Secondary Fires in this category were more numerous due to the seasonal nature of these incidents, with the highest numbers experienced during April, August and September (during Spring and Summer school holidays). In recent previous years, the number of Secondary Fires had been overtaken by the number of False Alarms Good Intent by the end of the year and given the trend this would be the expectation for 2016/17.

In response to a question Members were advised that the term "Secondary Fires" were generally outdoor fires that did not involve fixed structures or vehicles. However if a building or fixed structure that were derelict or awaiting demolition, or a scrap vehicle, could also be included as a secondary rather than a primary fire. **Note for Members** – Any secondary fire that involved fatalities, casualties or rescues or that had been attended by five or more pumping appliances would be categorised as a primary fire due to the severity of the incident.

Accidental Dwelling Fires were trending downwards this year to date. High severity Accidental Dwelling Fires show a downward trend over this timeframe, whilst low severity fires were static. The main overall cause of Accidental Dwelling Fires was cooking with the "human factor" of distraction high on the list.

It had not been possible to produce a level of data confidence for August 2016 due to an upgrade to the database server. Analysis of data had uncovered a number of missing records for this year to date and these were set out in the report. Records were being updated and processes put in place to ensure that completion of data was maintained at an acceptably high level going forward.

Mr Marshall enquired whether there was an explanation of Gold, Silver and Bronze households that Members could have and was advised that a copy of the definitions would be emailed to Members.

The number of HFRCs delivered were proportionately highest to those in Gold, Silver or Bronze category households. Within the priority category most HFRCs had been delivered to Gold category households for this year to date. Mrs Banks commented upon the number of vulnerable people with dementia that benefited from HFRCs. Demographics showed that the number of elderly in communities would be increasing.

Members discussed the risk of fire posed by derelict buildings and in particular the Tams Building in Stoke-on-Trent. The Service kept a note of these types of buildings. Mrs Banks advised that the issue with the Tams Building was that it had listed heritage status and so could not be demolished. She advised that the owners were doing all they could to protect the public. There was a need to push harder to ensure that these types of building posed little or no risk to the public and firefighters.

Business Fires were showing a downward trend for 2016/17 to date, with the most prevalent business type being Other Buildings/Use not Known, followed by Barns, Single

Shops and Manufacturing Factory (in equal numbers). This had changed since last year when most fires occurred in Single Shops followed by Manufacturing Factory business types. Business Fires occurring in Other Buildings/Use not Known was on the increase relative to previous years with more than half being due to deliberate fire setting.

Prison Fires were static for this year but the long term trend was increasing

Members discussed prison fires. Mrs Banks advised that a representative of the Prison Service had attended a previous Scrutiny and Performance Committee where they had a productive discussion. Measures were put in place at prisons whereby a follow up call would be made to the Fire Service should the Service not be required to attend. Mr Bywater advised that a spike in prison fires had initially led to the work with the prison service. Staffordshire had the highest number of prisons in one area, outside of London. The prison with the highest number of fires has a no smoking policy. He advised that the Prison Service would contact the fire and rescue service every time that they had a fire. He advised that the Scrutiny and Performance Committee could relook at an update on the continuing work with the prison service at a future meeting. Mrs Banks commented that it was important for the Fire Service to keep up its relationship with the Prison Service. Mr Day commented that when the matter last came to the Scrutiny and Performance Committee he did have some concerns at the way that prisons dealt with some of their fires, by some of their staff donning mask and gloves etc and that the Fire Service should be actively involved in prison fires, as they needed professional firefighting input from the Service to ensure the safety of staff and prisoners. Mrs Banks advised that the Prison Service had not been happy when the Prison Fires report was firstly included on the Agenda for the meeting, but this had been due to the way that the media had dealt with the issue.

Road Traffic Collisions (RTCs) attended were showing a slight upward trend in year, which was being driven by low severity RTCs where no extrication was required. 30% of RTCs attended this year had no persons extricated and high severity RTCs (where an extrication was required) were on a downward trend for the year to date. Staffordshire Safer Roads Partnership was investing in improvements to the data available relating to KSI's across the county which should mean that in the future the Service would have more up to date information on RTCs. Members discussed the Road Traffic Collision figures, which related to those where emergency services were in attendance. These figures did not include accidents where details were exchanged but were not reported to emergency services.

Members discussed the issue of Police in the West Midlands seizing vehicles that were not insured. This had been going on in Stoke-on-Trent and Staffordshire for a number of years. The task was now made easier by automatic vehicle number plate recognition.

A Member commented upon the need to work with motorcyclists to reduce road casualties.

False Alarms showed an upward trend, although 64% of incidents in the year to date were not attended. Of those False Alarm incidents which were attended, the majority were domestic properties, although in year attendances to Policy Exempt and Commercial Properties were on an upward trend. The Service continued to monitor this.

With regard to attacks on firefighters there were two instances of abuse this quarter. One was a report of verbal abuse directed at the Officer in Charge at an incident and there was one report of missiles thrown at an appliance causing minor vehicle damage on the way to an incident. Members discussed attacks on firefighters. Mr Norris advised that the

prosecution of perpetrators of the attacks lay with the Police and the Crown Prosecution Service and the Service ensured that it always reported any such attacks.

There had been 10 routine and 2 operational injuries at work for the quarter. There was one reportable Operational Injury during the first quarter. The RIDDOR injury involved the injured person reporting that they had hurt their shoulder at an incident on the previous day.

Response standards had been met on 90.1% of occasions compared to 85.88% in 2015/16.

Members discussed retained availability for August, which in a couple of locations in the County was low ie Rising Brook and Gnosall. There was a wide variance of availability between stations. The information contained in the report had been drawn from the Vision Control System. In response to a question Members were advised that the low availability on some stations was not due to retained Members of Staff covering for whole time posts. In response to a question Members were advised that it was not unusual for wholetime firefighters to also provide cover as retained firefighters. There were a variety of reasons for the low availability. With regard to Rising Brook there were currently insufficient staff. For an appliance to be on the run at any station the Service also had to ensure that there was the right mix of skills. Members were advised that the Officer in Charge would monitor retained availability for the week ahead in order to ensure that any gaps in availability were filled. Phone calls would be made to increase to cover and the Retained Liaison Officer would work to ensure that wider gaps in availability were filled and on some occasions personnel from other stations may be able to cover. Members were advised that availability was monitored on a continual basis. Recruitment drives were progressing well and this was having a positive effect on the take up of places on recruits' courses. The Retained Liaison Team was working on a positive action campaign and the Service was looking to make this business as usual Service wide. The aim of this was to increase the diversity of the workforce over the coming months.

Members discussed the reluctance of businesses to release staff to be retained firefighters due to the impact on their businesses. Members were advised that the Service was looking to liaise with businesses on the issue of releasing staff for retained duties.

Members discussed a recent retained availability issue at Cheadle which had been publicised. Hanley and Longton crews had covered the area whilst the appliance from Cheadle was off the run and had attended incidents within the response times. The issue of reduced availability at Cheadle related to a number of staff being off due to sickness

Members were advised that when an appliance went off the run then the command and control system would bring forward the next available appliance with the quickest response, hence why the response standards were met.

Members discussed the pay for retained firefighters and were advised that there were currently two payment method for retained firefighters – the retained payment scheme and turn out and attendance scheme. Members were advised that a report would be coming to a future meeting regarding the results of the retained pay consultation and the move to a single payment scheme for all retained firefighters.

With regard to finance, performance was good, exceeding all target set.

There had been some variance in the sickness absence data over the last twelve months, with seasonal trends above average in September, February and March. There was an increase in short term shift absence from January. Mr Chapman commented that the report made various comments on the possible reasons for the absences which were subjective. Mr Chapman advised caution on putting commentary alongside the sickness figures which could not be corroborated.

Musculoskeletal and mental health related absence remain the two most prominent contributors to absence. A reduction in the number of staff meant that long terms sickness had a more marked effect. Work was also underway to review the Occupational Health function and practices. A review programme was being led by the HR Manager following her taking over responsibility for this function.

Members discussed the sickness absence of self-employed people compared to those employed. It was suggested that having more autonomy may ensure better mental health.

19. **RESOLVED** – That the Performance Report be noted.

### **Fatal Fire Conference/Matrix Presentation**

20. Mr Bywater gave a presentation to Members on the Fatal Fire Conferences that were held following a fire fatality. The presentation explained the expectations and outcomes of the conference which were to establish lessons learnt from the fatality, improve communications with partner agencies to share important data, identify changes that could have prevented the fire or affected the outcome and to gain a collective understanding about the circumstances that led to the fatality. At the Conference the local Service Delivery Team would give a presentation outlining the circumstances, a discussion would be held, learning would be identified and actions would be taken. They would consider the fire investigation report which would identify cause and contributory factors. It was also important in these conferences to understand the lifestyle of person involved. The outcomes and recommendations would be subject to open discussion and shared. The Service would ensure that any key messages were shared with the public via the Service's Media Team. After the fire activities were undertaken in the vicinity of the fire immediately after the fire occurred. In response to a question Members were advised that they did not always have the Coroner's report at the time of the Conference and the Service would be careful not cut across the work of the Coroner. Sometimes it was important to meet before the Coroner's report was available in order to start the valuable prevent work. The Service did not pre-empt the findings of the Coroner's report.

The Fatal Fire Matrix contained all the information relating to the victim and included characteristics which linked to fire risk factors.

Fortunately there were low numbers of fire fatalities and due to these low numbers it was sometimes difficult to see particular trends. Members were advised that the Service monitored all fatalities. Members discussed the importance of prevention and were advised that the sharing of information with partners was invaluable. A Member gave an example of an elderly lady that she visited who regularly emptied her ash tray onto the carpet when it was full. These were the types of issue that the Service would identify and would seek to address.

A Member raised the issue of families who had been identified as having difficulties and the first thing that was considered by partners was a HFRC.

Members discussed the Safe and Well Visits undertaken by the Service which not only checked for safety issues in the home but also highlighted issues to other agencies in order for them to act before the issue became a problem. Partners tended to take notice of the fire service, who were able to access vulnerable members of the community. Mr Bywater advised that these visits highlighted many issues such as the use of electric blanket, smoking, mobility, falls and cold homes etc. The Service could assist with referrals for equipment etc and sharing awareness of the person's needs. The Safe and Well visits had provided benefits across all partner agencies.

A Member commented upon the increased demand on the Service to undertake these Safe and Well Visits due to the care of the elderly now being undertaken at home. There were key links to fires around people with health issues.

The final slide of the presentation related to a recent fatality. It included issues such as human behaviour, in trying to put the fire out, highly flammable night clothing and smoke alarms not being investigated by neighbours.

The Service were working on the various areas raised from this fatality ie highlighting the issue for the public to get out and stay out and not to attempt to put a fire out themselves. They were working with CFOA relating to the flammability of night clothing.

Members discussed the issue of members of the public ignoring the sound of smoke/fire alarms in buildings and commented that the message should be put out to the public not to ignore a smoke/fire alarm should they hear it, as these alarms usually went off for a reason. The issue was, would a member of the public know the difference between a fire and a burglar alarm? Members discussed smoke alarms which now had fixed batteries that could not be removed. They also discussed the fitting of sprinklers which would suppress the fire allowing occupants to get out.

Members thanked Mr Bywater for his presentation.

21. **RESOLVED** – That the presentation on the Fatal Fire Conference/Matrix be noted.

### **Corporate Safety Plan – Scrutiny of the Consultation Process**

22. In order to deliver the Corporate Safety Plan 2017-2020 in a timely and effective way, a project group was established lead by the Corporate Safety Plan Manager, reporting through the Prevent and Protect directorate and Service Delivery Board under a project guideline and timetable. The project aims to develop and implement the CSP 2017-20 which would remain within a three year planning cycle paying due regard to the requirements of the National Framework and other legislative acts. The report provided information to enable the Committee to consider the Corporate Safety Plan 2017-2020 consultation process. The external stakeholder consultation process report was appended and contained the following sections:- Overview, Our Consultation Duties, Consultation Objectives, Stakeholder Audience, Consultation Methodology, Promotion and Publicity and Equality and Diversity Considerations.

A formal consultation process was carried out over a twelve week period from 25 July to 16 October 2016 in line with Government consultation guidelines and best practice. Responses and feedback would continue to be accepted after the close of the formal consultation. The report detailed the consultation process. The actual findings of the consultation would be made available to the Fire Authority in due course.

The other appendices attached to the report outlined materials used as part of the Consultation Process including:- the Corporate Safety Plan leaflet; the questions asked as part of the consultation, copy of correspondence sent to consultees; a copy of the press release sent out relating to the consultation advising people to have their say; and a copy of a poster highlighting the way in which the public could have their say on the Corporate Safety Plan.

Mr Preston advised that the Safety Plan had not been written in advance of the consultation as the views of the people would shape the Safety Plan.

Mr Chapman commented upon Question 8 relating to the possible change in Governance of the Service to the OPCC. He advised that in his opinion this question should not have been part of the consultation as he felt that it was political and almost a leading question. Mr Preston advised that the questions had been formulated by the Safety Plan Team and the Executive Leadership Team on behalf of the Authority. Mr Chapman indicated that in his view the questions that were being put to the public as part of the consultation should have been put to the Fire Authority for approval. He advised that the issue would be governed by legislation. Mr Preston advised that this particular question had generated a great deal of interest from the public. When formulating the questions the officers had looked issues of relevance affecting the Service and the potential for something to happen to the Governance of the Service was deemed significant. When formulating the questions the language used in the questions was challenged a few times as officers wanted strategic leaders and the public to be able to respond to the questions. Mr Preston advised that the data that had been collected solely to assist with the formulation of the Safety Plan.

Mr Day advised that Members of the Authority saw the questions that were being asked of the public at the Safety Plan consultation session that had been arranged for Members on 1 August, but by then the questions were already being put to the public. Mr Bywater advised that he would feed Mr Chapman's comments back.

Mr Preston advised that they would still take on board comments up until when the Corporate Safety Plan was produced. In response to a question he advised that they were still awaiting the results of the Hall Tests in order for the information to be turned into quantitative data. The draft Corporate Safety Plan would be put to the FRA in December for Members feedback. Mr Preston advised that the Service Improvement and Equality Committee at its meeting on 24 October would be given a brief overview of the data collected during the consultation.

Miss Wood drew attention to the press release which was appended to the report which advised that the saving to be made by the Service were £5.7m. Mr Preston advised that an earlier draft of the press release had inadvertently been attached to the report and the press release that was sent out did actually say £4m savings.

Miss Wood commented that she called in at Lichfield on the day when the Safety Plan was being discussed with the public but was unable to find the Hall Test facilitators. Mr Preston advised that the tests were carried out within the Guild Hall on 22 September between 1000 and 1600 by Step Beyond. Step Beyond also undertook the tests for the last Corporate Safety Plan Consultation.

Mr Preston advised that the Hall Tests were undertaken in seven locations around the Authority's area based on the demographics, days and times. Step Beyond chose the dates and times to ensure holiday periods were avoided to ensure a representative

sample. There were six interviewers. They had billboards and flyers advertising the consultation. When the company was in Cannock conducting the tests the poor weather had an impact on the number of interviews undertaken. Everywhere else they undertook 80/90 interviews. There were no fire service staff in attendance at the Hall Test events. In general the feedback, that the public were giving, was very positive about the fire service. The public were really engaged with positive chat about what the Service was doing. Partners recognised the fact that the fire service could get into vulnerable households where other agencies could not. Mrs Banks concurred that the fire service was well thought of. Mr Preston advised this seemed to be the general consensus across the County.

Mr Norris commented that the data gathered seemed to be qualitative “across the piece”, from all sources. Mr Preston advised that he had not yet broken down all of the information as the consultation closed on Monday morning. There were over 300 online surveys completed which had exceeded expectations. Further information would be provided to SIEC on Monday where a presentation would be given outlining the qualitative data. The Hall Test interviews had been undertaken by 530 of the public, that together with the 300 online test was not a bad representation of the communities served. It had been noticed that people who looked at the online survey mainly completed up to question 6.

Mrs Banks thanked Mr Preston for the overview of the consultation process.

23. **RESOLVED** – That it be noted and endorsed that -
- (i) that the consultation process was wide reaching and covered a cross section of the demographics of the community.
  - (ii) that the degree of stakeholder consultation provided a substantial level of assurance.
  - (iii) that the initial objectives of the consultation process were achieved.

### Items for Future meetings

24. Members held a discussion on possible future items for scrutiny.

Following discussions Members decided that the following items be brought to future meetings of the Scrutiny and Performance Committee.

7 December 2016	Slitting Mill Fire Rugeley ( <b>Note by Secretary</b> – Following the Service Improvement and Equality Committee on 24 October 2016 the Chairman of this Committee, Mrs K M Banks advised that this Item should be deferred to a future meeting, date not yet specified, pending the outcome of the Recovery Group)
	Improving Community Cohesion Update
On-going over the Next 12 Months	Response Standards
	Previous Working Group updates
	Scrutiny of the Innovations and Transformation Process
	Retained Update report (including retained pay policy)

Future Items date not yet specified	Working with H M Prison Service Update
	False Alarms Policy Update
	Impact of the 2015 Community Safety Options changes.
	Outcomes of the EXIT Programme

### **Date of next Meeting**

25. Members were advised that the next meeting of the Committee would be held on Wednesday 7 December 2016 at 2.15 pm.

### **Exclusion of the Public**

Upon the motion of the Chairman it was:

26. **RESOLVED** - "That the public be excluded from the meeting for the following items of business which involved the likely disclosure of exempt information as defined in the paragraphs of Part I of Schedule 12A of the Local Government Act 1972 indicated below".

### **PART TWO**

#### **Improving Community Cohesion** (exemption paragraph 3)

27. – 28 Members considered a verbal overview from Donna Broadhead, Prevention Manager, Northern Service Delivery Group on the work being undertaken by the Service.

**CHAIRMAN**

**Stoke-on-Trent and Staffordshire Fire and Rescue Authority**

**Scrutiny and Performance Committee**

**7 December 2016**

**Retained Duty System Update**

**Report of Tim Hyde, Director of Response**

**SUMMARY**

The Service has 33 fire stations and three crewing types for 40 fire appliances a number of other, specialised, appliances are switch crewed with fire crews taking the appropriate vehicle for the response required to an incident.

The three duty systems are wholetime – crewed 24/7 – at eight locations, day duty system – crewed 0800 to 2000 daily – at two and Retained Duty System (RDS) – crewed on call 24/7 at thirty. From 1 January 2017 the Retained Duty System will have an establishment of 394 firefighters. For comparison the wholetime establishment will be 248 so Members can see that the majority of the firefighters in Staffordshire are conditioned to the Retained Duty System.

The RDS entails a firefighter giving a commitment to a number of hours on call for which they receive a retaining fee and during these committed hours responding to the fire station within five minutes in order to crew the appliance and proceed to the allocated incident. In addition to these response duties a budget is allocated to each station to allow the firefighters to deliver risk reduction work within their own communities. The RDS has traditionally been aligned to the conditions of service contained in The Grey Book but Staffordshire was one of a number of services that took steps in the early 2000's to renegotiate the payment mechanisms for retained staff and a system of payment which recognised the number of hours on call delivered by an individual along with the activity level of the station was developed. As call rates dropped largely as a result of the successful prevention work carried out across the County so the banding (and payments) at some stations began to fall. Of course those stations which had opted to stay aligned to the Grey Book were also seeing proportionate reductions in their pay.

Faced with a need to reduce establishments and make the RDS more attractive to current and potential staff the Service entered into negotiation with the representative bodies and agreement was reached that resulted in a reduction in the RDS establishment from 487 to 390 along with a new payment mechanism that, from 1 January 2017, will apply to all RDS staff. On 20 November 2016 the retained establishment is 390. The Service has 387 firefighters with a retained contract, however, not all provide a full declaration of 84 hrs per week so the Service is managing the RDS with 316 Full time equivalents (FTE's) indicating that there are 74 FTE's vacant, hence the need for continual, ongoing, recruitment of RDS staff. The Service is currently running a County wide recruitment campaign and included within this is a positive action programme which seeks to recruit from under represented groups within communities covered by RDS crewed appliances. There are also plans to

secure the services of staff employed across the Service in non response roles as RDS firefighters by applying the firefighter selection tests to volunteers and then putting those successful applicants through the suite of training modules. The trained staff will then plan their work so that they can work from Rising Brook and, whilst there, keep that appliance available.

## **RECOMMENDATIONS**

That Members of this Committee note the contents of this report and the attached document.

### **Financial Implications**

The RDS budget has been reduced by £1.5M through the reduction in posts. A commitment to deliver risk reduction in and around those communities served by retained firefighters has been underpinned by allocation of £0.5M of this reduction to a service wide risk reduction budget which will be earned by RDS staff delivering risk reduction activity in areas of identified need. The total RDS budget will reduce from £5.5M to £4.5M, a net reduction of £1M year on year.

### **Legal Implications**

Section 7.2(a) of the Fire and Rescue Services Act 2004 requires the Fire Authority to:

*Secure the provision of personnel, services and equipment necessary to meet all normal requirements.*

In addition to this legislative requirement services have been challenged to make more and better use of RDS staff by Theresa May when Home Secretary, Brandon Lewis, the current Police and Fire Minister and by Sir Ken Knight and Adrian Thomas in reports released over the last few years.

As outlined above the Service has renegotiated the terms and conditions of all RDS staff and this has resulted in a new policy document. All RDS staff have been issued with a new contract of employment that will come into effect on 1 January 2017. The Retained Duty System 2017 (the new policy) is attached as an **Appendix** to this report.

### **Equality and Diversity**

None of the protected characteristics detailed by the Equality Act 2010 are impacted by this report or the attachment. The Service is underpinning its commitment to development of the diversity of the service and ensuring equality through the efforts being made to recruit from under represented groups within our communities.

## **Risk Implications**

The Service is, like most other services, experiencing significant difficulty in recruiting retained staff. There are currently five wholetime staff, one Station Manager and four Watch Managers who commit much of their time to the recruitment of RDS staff. In recent years the number of leavers from the RDS workforce has outweighed the number of new recruits. Efforts being taken to reverse this are the recruitment campaigns locally along with national efforts via CFOA to work with the Home Office to identify means of making the RDS more attractive to those who might want to join. It is hoped that the new conditions of service will offer a more appropriate reward for the commitment given and, by being more flexible, lead to higher retention rates in future.

## **Consultation and Engagement undertaken**

The Fire Brigades Union

The Retained Firefighters Union

All retained watches were afforded the opportunity to attend at least two consultation events in paid time.

## **Protective Security**

Any records relating to the Retained Duty System are kept in line with Service Protective Security protocols.

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## TITLE: RETAINED DUTY SYSTEM 2017

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### 1 INTRODUCTION AND SCOPE

The purpose of this document is to detail the working arrangements and management of the retained duty system.

This document applies to all staff who are conditioned to the retained duty system.

### 2 AVAILABILITY AND ROSTERING

- 2.1 If Supervisory managers identify areas where there is the potential for the Appliance to be unavailable, they will ensure the stated availability is consistent with the employee's agreed declaration of availability.
- 2.2 Individuals may make themselves available over and above their stated declaration of availability but payment will only be received where the individual is required.
- 2.3 Managers must use Firewatch to monitor and ensure all rostered riding systems and allocation of duties, as far as possible; provide fair and preferably consistent working patterns for employees.
- 2.4 During periods of high demand the Service have the ability to suspend maximum numbers on call (rostering) to be able to use all available staff, particularly on Stations that also have special appliances. This may involve people on protected hours being stood up to enable all appliances to be crewed when required.

### 3 PAY ARRANGEMENTS

- 3.1 Payment will be based on the number of actual on call hours and training activity and will comprise of the following elements:

#### Retaining Fee

- 3.2 The retaining fee will be a percentage of the salary aligned to the whole-time duty system. Rates will be reviewed annually by the NJC.

- 3.3 Staff will be paid a percentage of the retaining fee proportionate to the number of agreed hours they are declared on call each week. The full retaining fee will be 18% of a whole-time salary if the declared number of on call hours is 100. i.e. 100 hours = 100% of the retaining fee. The percentage of the full retaining fee will be equivalent to the number of declared on call hours on a sliding scale. i.e. 80 hours will attract 80% of the retaining fee, 115 hours, 115% and so on. This recognises that commitment should be rewarded in a fair and proportionate way.
- 3.4 Payment for the retaining fee will be monthly in arrears to ensure this accurately reflects the hours provided.

#### Payment for work activity

- 3.5 Employees will ensure their availability is recorded in Firewatch, giving sufficient time for Supervisory Managers to plan and roster crewing. Crewing will be selected based on skill levels up to the appropriate crewing level for the station, utilising rostering to ensure that no individual or group is disadvantaged.
- 3.6 Whilst the Service endeavours to ensure that the correct number of employees are on call and are not called in unnecessarily, we recognise the sometimes even with rostering that employees may be called in and be surplus to requirements. We also recognise that this activity should be rewarded. Therefore an employee who has been called out and attends the station but does not form part of the crew shall receive payment for 30 minutes at positive hourly rate.
- 3.7 All employees responding to the station will receive a Disturbance Allowance at national rates of pay. Currently this is 3.90. The Allowance is only payable on the initial response to an alerter, it is not payable for any subsequent incidents once they have formed part of a crew or are on station.
- 3.8 An employee who attends station to form part of the crew that is immediately mobilised shall receive a minimum of 1 hours pay. This applies where the appliance has booked mobile and left the station. If a Stop message is received prior to the appliance leaving the station or the crew are called in to be standby at their own station, then a minimum payment of 30 minutes will be made to the crew.
- 3.9 If the incident continues beyond 1 hour 16 minutes (or the crew is mobilised to subsequent incidents), then 2 hours will be paid. No additional disturbance allowance is paid for subsequent calls.
- 3.10 If subsequent calls are received and the already mobilised appliance is required to attend a further call – a “proceed to” instruction, then this and any further mobilisations will attract a further hour’s pay. No additional disturbance allowance is payable.

#### Standbys

- 3.11 If a crew is on a pre-arranged standby at either their home or an alternative station, positive hours will be paid from the commencement of the standby. If the crew are subsequently mobilised to an incident, then no additional allowances will be paid but the payment of positive hours will continue.

- 3.12 If a crew is standing by at their home station and are mobilised to an incident, this will be deemed to be a “proceed to”.
- 3.13 If a crew on concluding an incident is required to standby at their own station then this shall constitute a “proceed to” if a further incident number is issued. If however, they return to their station under the same incident number as first mobilised then the payment of positive hours will continue until the crew are released.

#### Employees rostered off

- 3.14 It is recognised where employees are rostered off during their declared on call hours (pink hours) this means at times they may be financially disadvantaged. Therefore in order to provide some recompense for this, when employees who have been rostered off have missed a total of 4 fire calls, they will be given the opportunity to undertake structured training for 2 hours and receive payment for 3 hours.

#### Employees rostered onto Special appliances

- 3.15 When employees are rostered to crew special appliances and do not attend any incidents but as a result are not available to crew other station appliance(s) which attend calls, then individuals will be subject to the “Employees Rostered Off” arrangements outlined above.

#### Drill payments

- 3.16 Payment for attendance at the weekly 2 hour drill period will be made in addition to the retaining fee. This will be paid at the positive hourly rate for the role undertaken and will be paid monthly in arrears.
- 3.17 Supervisory Managers who are wholetime/retained should attend a **minimum** of 12 drill periods per year. Firefighters who are wholetime/retained should attend a **minimum** of 6 drill periods per year. This applies to all wholetime/retained staff irrespective of which Service is their whole-time employer.

#### Routines

- 3.18 A station budget of 3 hours per week for the station will be allocated for routines. This to be utilised by local arrangement.
- 3.19 Stations with special appliances will have their allocation of hours adjusted accordingly.

#### Supervisory duties

- 3.20 Hours for supervisory duties will be paid as follows:
- Watch Managers to receive a payment equivalent to 10% of a whole-time Watch Managers’ salary, paid on a monthly basis, at the appropriate rate (Development or Competent).

- Crew managers to receive a payment equivalent to 5% of a whole-time Crew Managers' salary, paid on a monthly basis, at the appropriate rate (Development or Competent).

This payment is made as an allowance for all duties, including admin and appraisals. Any additional payment will only be made in exceptional circumstances and by prior agreement.

### Training for Firefighters In-Development

3.21 New employees have the opportunity to undertake 4 hours training per week in addition to the drill period. This training is available to support them to complete their development. Additional hours are available for experienced staff to access to undertake structured training exercises to assist in-development firefighters where authorised by the Service Delivery Group.

### Appraisals

3.22 1 hour's payment annually will be afforded to the individual receiving the appraisal.

## **4 ANNUAL LEAVE**

4.1 From January 2017, annual leave entitlement may be taken in either hours or days. Stations must agree on the system that they wish to adopt and only one system per station will be in operation.

Leave in hours:

4.2 Entitlement is based on the Declaration of Availability. Annual entitlement is 4 weeks, increasing to 5 weeks for an employee who, at the start of the leave year, has at least 5 years continuous service.

4.3 Entitlement will be calculated by taking the number of declared hours multiplied by the number of week's entitlement.

Example:	Declared hours	70 per week
	Leave entitlement	5 weeks
	Annual leave in hours	70 x 5 = 350 hours

Hours can be taken in any multiples to suit the individual, subject to the usual leave approval process. For example: If you wish to take leave for the evening, then you only need to book off the hours required maybe 19:00 hours to 23:30 – 4.5 hours leave booked. Leave entitlement will only be adjusted if a change to the Declaration of Availability is agreed part way through the holiday year.

4.4 The minimum period of leave that may be booked is 30 minutes.

4.5 Payment will be made at an hourly rate based on the previous 12 weeks earnings. Staff may book on during periods of leave to keep their appliance available if they wish to. Any hours worked will be credited back into their entitlement.

Leave in days:

- 4.6 Entitlement will be allocated on a pro rata basis based on the usual 4 or 5 weeks entitlement.

Example:	No of days hours are declared:	5 per week
	Leave entitlement	5 weeks
	Annual leave in hours	5 x 5 = 25 days

- 4.7 Rotating Declaration:

Where staff have a rotating declaration (a different number of hours/days are declared over a set pattern of weeks due to their primary employment shifts) entitlement may be adjusted on a case by case basis on leave that is pre-stated to ensure that they are not disadvantaged.

- 4.8 Leave may only be taken in units of full days.

#### Leave year

- 4.9 The annual leave year runs from January to December.

#### Arrangements for taking leave

- 4.10 The approval of leave is subject to the needs of the Service, with particular reference to ensuring that crewing levels are such that appliance availability is maintained.
- 4.11 Where any request for a period of leave is as a result of the employee's primary employer requiring him or her to take leave, this will be taken into account. Employees should make every effort to pre-book this as early as possible to avoid appliances becoming unavailable and reducing the Service ability to protect the community.
- 4.12 Each Watch is to agree a system which ensures an equal opportunity for pre-stated leave. Employees should endeavour to pre-state as much of their leave as possible. Once established the system shall be maintained so as to provide a fair and equitable rotation of choice in succeeding years. **Leave will be subject to appliance availability**. Any non pre-stated leave will be granted on a first come, first served basis and approval may not be granted if crewing levels are insufficient. No holiday arrangements should be confirmed until the period of leave is approved. The Service will not be liable for any costs incurred due to holidays being booked prior to leave being approved. Leave will not be considered to be approved if the relevant system was not adhered to and confirmation of approval is not obtained.
- 4.13 Leave requests submitted prior to the beginning of the leave year as a part of the agreed Watch system or applications made 3 or more months in advance of the dates required will be considered as pre-stated leave and once approved are not cancellable by the Service.

- 4.14 Leave requests submitted within 3 months of the dates required will be considered as non pre-stated and will be subject to crewing.
- 4.15 Leave may be granted at short notice at the discretion of the station management.
- 4.16 Employees should ensure their leave is booked and utilised as any leave remaining at the end of the year will be forfeited. The Service reserves the right to allocate leave if it is not booked by employees to ensure that adequate breaks from the workplace are taken.
- 4.17 Watch/Crew Managers are responsible for ensuring the appropriate Managerial, Driver and specialist skill levels are maintained at their station. All leave requests must therefore be submitted to line managers using Firewatch and ensure that they receive approval prior to making any leave arrangements. Records must be maintained for audit purposes and to enable where necessary the cancelling of leave.

## 5 PUBLIC HOLIDAYS

- 5.1 Employees who give cover on a public holiday will receive the following:
- Double the usual pay rate of their retaining fee for the hours of cover given.
  - Double time for any positive hours worked in responding to an incident.
  - Hours in lieu for the hours of cover given on the day. Payment for these hours will actually be made at the time the bank holiday occurs. The timing of the payment for these hours may be reviewed pending the capability of any future payroll system.
- 5.2 Time in lieu is to be recorded on Firewatch and any request to take the time in lieu should be submitted in accordance with normal annual leave selection processes. Lieu time must be used within a 12 month period of it being accrued. Lieu time not used will be forfeited if it expires
- 5.3 Employees should only give cover on the statutory public holidays if this day forms part of their declaration of availability; or the cover is required to support Appliance availability. For clarity, the statutory public holidays are:

**New Year's Day**  
**Good Friday**  
**Easter Monday**  
**First Monday in May**

**Spring Bank Holiday.**  
**Late Summer Holiday.**  
**Christmas Day.**  
**26th December.**

Christmas Day, 26th December and New Year's Day will be treated as public holidays on whichever days of the week they fall, irrespective of alternative days announced by the Government.

For the purposes of this policy a public holiday means the period of 24 hours from midnight to midnight.

- 5.4 Where an employee is required to be available on a public holiday (because this day forms part of their normal declaration) and the employee requires the day off, they will be required to book this day as leave.

## **6 BOOKING OFF**

The Service accepts that some flexibility is required in the management of declared hours and that arrangements are often made locally to suit both the individual and the Service. However, in order to ensure some consistency and fairness in the way this is managed, there will be some parameters for the arrangements of booking off as follows:

- Staff should not book off if it takes the appliance off the run or is showing that it is off the run at the time of booking off.
- The Service will give a tolerance of 10% within the declared hours. Staff should ensure therefore that the total hours cover given for the week do not fall more than 10% below their declared hours for that week. This means that employees can book off (providing it doesn't affect appliance availability) and put hours in at an alternate time(s) during the week providing the total hours cover given in the week is at least 90% of the weekly total declaration. i.e. if the declared cover for the week is 80 hours and an individual wishes to book on/off during the week, the total hours declared cover showing on the Firewatch totals must be at least 72 hours for the week.

## **7 DECLARATIONS OF AVAILABILITY**

### Minimum hours

- 7.1 The minimum declaration that will be accepted by the Service is (an average of) 50 hours per week. Service Delivery Group Leads have the discretion to deviate from this in exceptional circumstances. The rationale for this decision should be recorded on the declaration for future reference. Any temporary changes should also record the period to which they apply.

### Breaks between shifts

- 7.2 It is the responsibility of all employees to ensure that they have had adequate rest between shifts and are fit to carry out their role when reporting for duty with due regard to their own health and wellbeing.
- 7.3 Watch management teams are responsible for ensuring the health and wellbeing of their team and to manage the situation appropriately if they feel any of their crew are experiencing any detrimental impact on their wellbeing as a result of being on duty.
- 7.4 Whole-time retained staff or retained staff undertaking a temporary whole-time contract should ensure that if they have committed to undertaking positive hours operational cover following a period of on call hours, that they have a break prior to commencement of this additional shift. This may entail them being released from a retained incident to enable them to be fit to attend the start of the whole-time shift.

## **8 STANDBY ARRANGEMENTS**

8.1 When crews go to standby at other stations, they are expected to make appropriate use of the time during the standby. This should include carrying out any CFS activities which may have been booked by the local crew or which are available to be carried out. This time can also be used to do appliance routines or training activities, including LearnPro/PdrPro. It is the responsibility of the Watch management team to ensure that this time is used effectively and that the crew has the appropriate service issue workwear to carry out the required duties.

8.2 Watch management teams are responsible for ensuring the health and wellbeing of their team and to manage the situation appropriately if they feel any of their crew are experiencing any detrimental impact on their wellbeing as a result of being on duty.

**9 ABSENCE AND MODIFIED DUTIES**

9.1 During periods of absence, employees who are entitled to full pay will receive an average of their last 12 weeks earnings. Where the entitlement reduces to half pay, the above payments will reduce by 50%.

9.2 Employees who return on modified duties will receive their retaining fee, plus positive hours for training time (e.g. drill period if attended) or other duties as required by the Delivery Group. Where there is an entitlement to full sick pay remaining, positive hours equivalent to 10% of the declared hours should be worked in order to maintain full pay.

**10 COMMUNITY SAFETY WORK**

Delivery Group Leads will allocate their community safety budget to groups/personnel where work is outlined that is targeted and meaningful. Employees may undertake prevention activities by local arrangements. A simple template is available for requesting monies from this budget.

**11 POLICY CHANGES**

This document will be reviewed at least annually to ensure that it remains current and fit for purpose.

Consultation End Date: 28 April 2016				People Impact Assessed:			
Personnel may share the information in this document with members of the public.						YES	NO
© Copyright: Stoke-on-Trent and Staffordshire Fire and Rescue Authority 2011.							
Date of Issue	Title of Document:	Job No.	Author:	Department:	Director/ Manager Approval:	Additional Information:	
27/10/2016	Retained Duty System 2017	794	Sue Wilkinson	HR	Tim Hyde 26/10/2016	Document to replace 2016 version on 01/01/2017	
06/11/2014	Retained Payment Scheme (RPS) 2016	794	Brian Moss	Retained Liaison Officer	Rob Barber 05/11/2014	Document to remain in situ until the 31/12/2016	
06/08/2014	Retained Payment Scheme (RPS) 2016	794	Brian Moss	Retained Liaison Officer		Consultation	
07/12/2010	Retained Payment Scheme (RPS)	794	Bob Dagless				
22/09/2010	Retained Payment Scheme (RPS)	794	Bob Dagless				
August 2009	Retained Payment Scheme (RPS)	794	Bob Dagless				
July 2008	Retained Payment Scheme (RPS)	794	Bob Dagless				
July 2007	Retained Salary Scheme	794					

**Stoke-on-Trent and Staffordshire Fire and Rescue Authority**

**Scrutiny and Performance Committee**

**7 December 2016**

**Impact of the 2015 Community Safety Options Changes**

**Report of Tim Hyde, Director of Response**

**SUMMARY**

During early 2015 the Service reviewed the provision of resources across the County and several proposals to rationalize that provision were presented to the Authority. Following agreement the following changes were made:

- The removal of the Targeted Response Vehicle from Burton-on-Trent. (1 Sept 2015)
- The removal of 16 wholetime posts from Burton-on-Trent. This resulted in the need for the five wholetime staff on duty at any time to switch crew the special appliances at Burton. This means that the five crew members of the first pump will, when required to do so by Fire Control, move from that pump to either the Aerial Ladder Platform or the Incident Response Unit in order to crew the required vehicle. In this event the Retained staff from Burton are immediately called in to reinstate the riders on the Pumping appliance so that it is again immediately available. (1 Jan 2016)
- The removal of the second pumping appliance at Stone. This had the effect of reducing the Retained establishment at Stone from 26 to 24. (NB: Stone has the Service Command and Control Unit as a second appliance). (1 Jan 2016)
- The removal of the second pumping appliance at Rugeley. This had the effect of reducing the Retained establishment at Rugeley from 26 to 24. (NB: Rugeley has the High Volume Pumping Unit in addition to its remaining Scania fire appliance). (1 Jan 2016)
- The replacement of the Scania fire appliance at Lichfield with a Targeted Response Vehicle. This had the effect of reducing the Retained establishment at Lichfield from 26 to 19. (1 Jan 2016)

This paper is provided to Members to evaluate the impact on community and firefighter safety of the changes outlined above which were implemented on 1 September 2015 and 1 January 2016 as shown above.

Where appliances had been removed the data used to evaluate the impact was the attendance times of the responses made prior to removal in the station area concerned, compared to response times after the appliance had been removed.

As the changes made at Burton were anticipated to have an impact on the availability of the Retained appliance because Retained staff would be used to crew the wholetime appliance on occasion, the data set used in this case was the availability, by month, of that appliance.

In all cases the outcomes from all attendances within the station area or appliance availability in the year immediately prior to the change have been compared with the period since the change, up to 14 November 2016.

## Findings

The table below details the line of enquiry resulting in the data shown:

Change made	Line of enquiry	Year prior	Period since
Switch crew special appliances at Burton with the Pump and bring RDS staff in to backfill	Availability of the second appliance (the donor vehicle of RDS staff for the crew)	87.92%	89.33%
Remove TRV and 16 posts from Burton	Number of times the attendance time of the second appliance failed to meet attendance standards	14	15
Remove second appliance from Stone	As above	14	9
As above	Average attendance time for the second pump in the area covered by the station	30'41"	24'11"
Remove second appliance from Rugeley	Number of times the attendance time of the second appliance failed to meet attendance standards	9	6
As above	Average attendance time for the second pump in the area covered by the station	20'12"	15'31"
Replace second pump at Lichfield with a TRV	Number of times the attendance time of the second appliance failed to meet attendance standards	17	9

## Analysis of Results

**Burton-on-Trent:** The availability of the Retained appliance at Burton on Trent has marginally improved during the reference period since the change. The special appliances have mobilized 30 times and on each of these occasions the Retained crew would have been called in to the station to refresh the crewing of the first pump at the expense of the crewing on the second.

In the area of the County covered by the two pumps based at Burton the Service has failed its attendance standard for the second appliance, that being 18, 20 and 28 minutes in high, medium and low risk areas respectively, on one more occasion since the changes at the station. This is a variation of 7% and is within the expected year on year variance and cannot be attributed to the change with any certainty.

**Stone:** The number of failed attendance times for the second appliance in the area covered by Stone appliances has reduced from 14 to 9, a reduction of 36%. Again, variance is expected in these figures from one period to the next and whilst the improvement should not be attributed to the removal of the fire appliance it is reassuring to note that the fears of the local communities that this figure would increase have not been realised. The reduction in the average attendance time, for the second appliance within Stone area is again reassuring and would indicate that reductions in community and firefighter safety have not resulted from the change at Stone.

**Rugeley:** The number of failed attendance times for the second appliance in the area covered by Rugeley appliances has reduced from 9 to 6, a reduction of 33%. Again, variance is expected in these figures from one period to the next and whilst the improvement should not be attributed to the removal of the fire appliance it is reassuring to note that the fears of the local communities that this figure would increase have not been realised. The reduction in the average attendance time, for the second appliance within Rugeley area is again reassuring and would indicate that reductions in community and firefighter safety have not resulted from the change at Rugeley.

**Lichfield:** The number of failed attendance times for the second appliance in the area covered by Lichfield appliances has reduced from 17 to 9, a reduction of 47%. Again, variance is expected in these figures from one period to the next and whilst the improvement should not be attributed to the removal of the fire appliance it is reassuring to note that the fears of the local communities that this figure would increase have not been realised.

## Conclusion

The recommendations identified and consulted on that resulted in the changes detailed above were made as a result of analysis of data collected by the Service over a number of years. This data was used to analyse demand and risk profiles in the areas across the whole County and, from this analysis, opportunities to make cost savings whilst not impacting on either community or firefighter safety were identified.

The recommendations made to the Authority in 2015 indicated that the savings were achievable without any additional risk and the results above indicate that assertion was correct.

## **RECOMMENDATIONS**

Members of the Committee are asked to note the contents of the report.

### **Financial Implications**

The decrease in established posts resulted in a revenue budget reduction of approximately £685k pa. In addition to this there was a small non-cashable saving in terms of the capital budget as three Scania appliances were removed from the front line fleet and will not need to be replaced in future.

### **Legal Implications**

Section 7.2(a) of the Fire and Rescue Services Act 2004 requires the Fire Authority to:

*Secure the provision of personnel, services and equipment necessary to meet all normal requirements.*

### **Equality and Diversity**

None of the protected characteristics detailed by the Equality Act 2010 are impacted by this report.

### **Risk Implications**

There are no specific risks related to the matters referred to within this report.

### **Consultation and Engagement undertaken**

The Community Safety Options that resulted in the changes described above were subject to a lengthy consultation process across the County and consultees included:

The Fire Brigades Union

The Retained Firefighters Union

Members of the communities of Stoke-on-Trent and Staffordshire at stakeholder meetings and focus groups.

The Members of the Fire and Rescue Authority.

### **Protective Security**

There are no specific protective security issues related to this report.

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