



Fire and Rescue Service  
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Please ask for Ora Yearwood

## HUMAN RESOURCES AND ETHICS COMMITTEE

Tuesday 31 January 2017  
Room 1  
2.15pm  
Fire and Rescue Service Headquarters  
Pirehill

(A Chairman/Vice-Chairman's Preview, for Mr M A Deaville and Mr G S Kallar has been arranged for 1.45pm)

Howard Norris  
Secretary to the Authority  
20 January 2017

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## AGENDA

### PART ONE

1. Apologies
2. Declarations of Interest
3. **Minutes of the Meeting held on 7 September 2016**
4. **Minutes of the Staff Consultation and Negotiating Forum held on 11 October 2016**
5. **Discipline and Grievance Procedure Monitoring Report**  
Report of the Head of Human Resources
6. **The Thomas Review – Independent Review of Conditions of Service for Fire and Rescue Staff in England**  
Report of the Chief Fire Officer/Chief Executive
7. **Retained Duty System Update**  
Report of the Director of Response

## **8. Anticipated future items for consideration by the Committee**

For discussion:

- Retained Duty System Terms and Conditions
- Occupational Health Provision – further update
- Firefighter Fitness Assessments – further update
- Further Training reports, as and when required
- Fire Control - further updates

## **9. Date of Next Meeting**

Wednesday 15 March at 2.15 pm.

## **10. 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 Part 1 of Schedule 12A of the Local Government Act 1972 indicated below”.

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## **PART TWO**

### **11. Exempt Minutes of the Staff Consultation and Negotiating Forum held on 11 October 2016**

#### **Possible Items for Scrutiny**

Members are asked to consider if any of the items that have been considered by the Committee at its meeting today are in need of further scrutiny and whether the item should be referred to the Scrutiny and Performance Committee for further examination.

**MINUTES OF THE HUMAN RESOURCES AND ETHICS COMMITTEE  
HELD ON 7 SEPTEMBER 2016**

Present: Finn T V (in the Chair)

Bowers, Miss S A                      Clarke, R J  
Chapman, F A                              Taylor, J W

**Apologies:** Deaville, M A; Kallar, G S; Mitchell, Ms C and Winnington, M J.

**Also in Attendance:** Mr T Hyde, Director of Response; Mr H Norris, Secretary & Monitoring Officer and Mrs S Wilkinson, Head of Human Resources.

**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 30 June 2016**

15. **RESOLVED** – That the Minutes of the Meeting held on 30 June 2016 be confirmed and signed by the Chairman.

**Notes of the Staff Consultation and Negotiating Forum  
held on 8 July 2016**

16. **RESOLVED** - That the Notes of the Staff Consultation and Negotiating Forum held on 8 July 2016 be received.

**Terms of Reference of the Committee  
(Schedule 1)**

17. Mr Norris introduced the Terms of Reference of the Committee that had been amended and approved by the Fire and Rescue Authority on 6 June 2016. The quorum of the Committee had been increased to five members including at least one representative from each constituent authority. The Terms of Reference was provided for information and also served as an aide memoire for Members.

18. **RESOLVED** – That the Terms of Reference be noted.

**Discipline and Grievance Procedure Monitoring Report  
(Schedule 2)**

19. Ms Wilkinson updated Members on discipline and grievance cases and provided information on the usage and effectiveness of the disciplinary and grievance procedures. The information referred to cases between 1 June 2016 and 31 July

2016, which followed the last report that referred to cases up to the end of May 2016. Statistical data for this period was attached to the report for Members' information.

There were 8 incidents of informal action recorded in that period. Four of those incidents were related to sickness; 3 for Wholetime staff, 1 for Retained staff.

Four minor disciplinary offences had been committed and related to conduct by members of staff. These were for differing reasons and all except one was issued to retained duty staff. There were no cases of informal action relating to capability.

There were no discipline cases heard in this period that resulted in a formal sanction being issued. No grievance cases were heard during this period.

One capability hearing was convened for a retained member of staff and was related to a repeated failure to achieve competency in a core training course. This resulted in the termination of the contract. An appeal is pending.

## **Trends**

There had been a downward trend identified in all areas covered by the report. Although the report covered a shorter period than the previous report it was considered to be a positive trend and showed proportionately fewer cases.

A Member stated that as a Committee, satisfaction should be expressed in view of the downward trend and hoped that it would continue.

20. **RESOLVED** –That the Discipline and Grievance Monitoring report be noted.

## **Absence Monitoring Report** (Schedule 3)

21. Ms Wilkinson updated Members on Absence levels within the Service and provided information on trends relating to reasons for absence due to sickness. The information referred to absences between May and July 2016 and was shown in comparison to the same period in 2015. The report also drew a comparison in relation to the reason for absence with the same period in 2014.

**Sickness Absence by Employee Type** - During the reporting period, there had been a month on month reduction in absence overall, however in comparison to the previous year's data, the total numbers of shifts lost were higher.

Wholetime, although increased by eight shifts, remained largely typical. There had been a notable increase in Uniformed absence, however this was attributed to two planned operations, which the Service had little influence in preventing but plans were put in place for covering workload and operational commitments.

**Short Term Absence (Days Lost) by Reason** - Musculoskeletal conditions remained the highest contributor to short term absence across the Service and was consistent with the previous two years. There appeared to be a trend towards back and lower limb conditions.

Stomach and abdominal conditions accounted for the second highest number of shifts lost and in the previous two years it had been the third highest contributor.

Mental health was the third highest contributor and was in stark contrast to the same period in 2015 when it did not feature in the top five reasons for absence. Colds, flu and chest infections were the fourth highest contributor to absence and were comparable to last year. Disease (Cancer etc) was the fifth highest contributor to absence – in previous years this had only accounted for a handful of days. The Service had less influence in preventing such cases.

**Long Term Absence (Days Lost) by Reason** - Mental Health had replaced Musculoskeletal as the highest contributor to long term absence (in the last two previous years it was second); this could be attributed to a localised issue within one department and amongst Support staff. Service managers were continuing to support the team and that figure was expected to decrease by the next Committee meeting. Musculoskeletal absence was now the second highest contributor to absence – there being more of a trend towards upper limb and back related conditions.

Surgery and General Screening and Diseases (Cancer etc) were the third and fourth highest contributors to long term absence within the Service. Both categories remain very difficult for the Service to influence, however support had been offered as appropriate through Occupational Health and others (eg The Firefighters Charity) so that individuals could be supported back to work at the appropriate time.

Colds, Flu and Chest Infections was the fifth highest contributor to long term absence and could be attributed to one individual suffering from a chest infection. A similar trend was evident in 2014 (although related to pneumonia on that occasion). The Service did not regularly see this category featuring within long term absence as it would be generally attributed to a more serious issue than a common cold. All cases continue to be managed through the Service's Occupational Health Provider.

**Absence due to an Injury at Work** - During the reporting period the Service had lost 40 days but this could be attributed to one individual suffering with a musculoskeletal injury. The individual had now resigned from the Service so it was expected that this figure would be reduced by the next Committee Meeting. In comparison to last year, there had been a reduction from two cases to one and therefore the Service had seen a decrease in days lost to an injury at work (62 to 40 days).

Members held a brief discussion regarding the report. In response to a Member's question concerning the absence relating to the Injury at work, Mr Hyde advised that the individual had resigned from the Service for personal reasons.

22. **RESOLVED** – That the report be noted.

### **Firefighter Fitness Assessments Update**

23. Ms Wilkinson provided an update on the Firefighter Fitness Assessments programme. It had been the intention of Ms Fiona Prew, the Service's Fitness Consultant to update the Committee on the revised fitness training programme

based on fire fitness research undertaken by the University of Bath that was scheduled to be released in March. The information was not released in March as intended so the details of the research and associated training proposals are expected to be issued at the National Firefit Conference in October. A report will be tabled at a future meeting of the Committee to update Members on the Service's proposal in light of the information from Firefit.

24. **RESOLVED** – That the update be noted.

### **Occupational Health Provision**

25. Ms Wilkinson updated Members on the Occupational Health Provision arrangements. Occupational Health Provision has been provided by the Police for the past four years and it was now felt that a closer liaison with the Police was required in respect of achieving a more improved service. It was hoped to review the Well Being agenda including fitness assessments. A review of the Service Level Agreement (SLA) will also be undertaken. Meetings with the Occupational Health Manager and Fitness Advisor were scheduled to discuss the provision of a more inclusive service and putting measures in place. Mr Norris added that after a four year period a resetting and review of the SLA was felt appropriate at this time. Ms Wilkinson advised that a further report will be brought back to the Committee to update Members on progress made.

26. **RESOLVED** – That the update be noted.

### **Fire Control – Vision and Measures Development**

27. Mr Hyde informed Members of the vision and measures development surrounding Fire Control.

The launch of the joint vision for Fire Control was completed during the third week of August when Chief Fire Officers Rebecca Bryant (SFRS) and Phil Loach (WMFS) visited all four watches. The joint vision seeks to embed a culture that empowers self-improvement for all staff and provides a best value service to the communities. The joint vision is based around 8 key headings as listed below along with a statement of commitment from the Chairs of both Fire Authorities:

- Enhanced Leadership
- Cultural Change
- Community Focus
- Value for Money
- Resourcing in support of the Corporate Safety Plan/West Midlands IRMP
- Expansion of Role
- Communications
- Improvement and Innovation

The responsibility for the improvement is not seen as just being the responsibility of Fire Control but also the watch based staff and officers of both Services. Mr Hyde who has responsibility for Fire Control and his counterpart Simon Barry from WMFS, had given Fire Control staff time to reflect on their dialogue with the two Chief Fire

Officers. Mr Hyde and Mr Barry will be meeting with all Control staff at the end of September to discuss their reflection on the vision. Part of this process will be seeking to develop new performance measures that should underpin learning and improvement.

A Member stated that it was important for this Authority to continue to monitor performance. Mr Hyde advised that the effectiveness and efficiency measures development should give Members assurance and a qualitative appreciation would also be available.

In response to a Member's question regarding making proper use of the Retained service by Fire Control, Mr Hyde stated that this would be monitored and all Incident Commanders would also be included in the feedback loop that will seek to ensure the best use of resources is made.

A Member enquired if the Trade Unions were involved with the discussions. Mr Hyde advised that the Trade Unions were fully involved in the process.

Mr Norris added that it was important for the Committee to recognise that this was a multi stranded area with elements across various committees and the Authority would need to receive reports directed to the appropriate Committees with responsibility for the issues covered.

28. **RESOLVED** – That the update be noted.

#### **Anticipated future Items for consideration by the Committee**

29. Members discussed items to be considered at future meetings of the Committee:

- Retained Duty System Terms and Conditions – Work was still ongoing in this area and Members would be updated once final agreement had been reached.
- Firefighter Fitness Assessments – A further update to be brought back to the Committee in the new year following the Firefit Conference in October.
- Occupational Health Provision – A further progress report to be tabled in the new year.
- Further Training reports, as and when required – It was suggested that the changes to Incident Command and Firecraft training proposed to take advantage of the new facilities being built on site would be brought back to the Committee for information.
- Fire Control – further updates to be brought back to the Committee once the vision and measures development had been reset.

A short discussion was held regarding water training for firefighters. Mr Hyde advised that every firefighter is trained to work around water although there are 2

levels of boat training in Staffordshire of which the level required to work on powered crafts are significantly greater.

A Member commented that it might be advantageous to the Committee if a video could be provided to show the level of training that is provided in terms of water, ie swift water training etc. Mr Hyde undertook to provide a video of the training at a later date.

30. **RESOLVED** – (a) That the Items for future meetings be noted.

(b) That a video of water training be shown to the Committee at a later date.

#### **Date of the next Meeting**

31. Members were advised that the next Meeting of the Committee was scheduled to be held on Thursday 1 December 2016 at 2.15 pm.

#### **Exclusion of the Public**

Upon the motion of the Chairman it was:-

32. **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 1 of Schedule 12A of the Local Government Act 1972 indicated below.

#### **Exempt Notes of the Staff Consultation and Negotiating Forum held on 8 July 2016 (exemption paragraph 4)**

33. **RESOLVED** – That the Exempt Notes of the Staff Consultation and Negotiating Forum held on 8 July 2016 be received.

**CHAIRMAN**



**NOTES OF THE STAFF CONSULTATION AND NEGOTIATING FORUM  
HELD ON 11 OCTOBER 2016**

**Present:** Mr S J Sweeney (Chairman)

<b>Fire Authority Representatives:</b>	<b>Employee Representatives:</b>				
	<b>FBU</b>	<b>RFU</b>	<b>Unison</b>	<b>APFO</b>	<b>FOA</b>
Dutton, A E Martin, G R Taylor, J W	Mosley, M Williams, R				

**Also in attendance:** Mr R Barber, Deputy Chief Fire Officer/Deputy Chief Executive and Mr H Norris, Secretary to the Authority.

**Apologies:-** Bryant, Ms R; Downey, B; Irving, R; Goulden, P; Housley, I; Hyde, T; and Tatum, M.

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

**Notes of the Meeting held on 8 July 2016**

13. **RESOLVED** – That the Notes of the meeting held on 8 July 2016 be confirmed and signed by the Chairman.

**Exempt Discussions**

14. The following topics were discussed and were expanded in the Exempt Notes of the meeting.

**Exempt Notes of the Meeting held on 8 July 2016**  
(exemption paragraph 4)

15. **RESOLVED** - That the Exempt Notes of the meeting held on 8 July 2016 be confirmed and signed by the Chairman.

**Items put forward by the FBU for discussion**  
(exemption paragraph 4)

**FBU National Update from EC Member Region 7**

16. Mr Williams presented a verbal report on behalf of Mr Downey which gave an update on pertinent issues which included:- the ongoing Pensions Issue; Age Discrimination in Pensions; NJC Workstreams, Grey Book Update, Health and Safety Issues – following the death of firefighter Stephen Hunt; and Industrial Relations Issues and the issue of 188 notice by some FRS.

## **Retained Pay Consultation**

17. The FBU gave an update on the position with regard to the review of retained pay.

## **The Police and Crime Bill**

18. Members held a discussion on the forthcoming Police and Crime Bill and the possible implications for the Fire and Rescue Service in Staffordshire.

**CHAIRMAN**

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

**Human Resources and Ethics Committee**

**31 January 2017**

**Discipline and Grievance Monitoring Report**

**Report of the Head of Human Resources**

**SUMMARY**

The purpose of this report is to keep Members updated on discipline and grievance cases and provide information on the usage and effectiveness of the disciplinary and grievance procedures. This information refers to cases during the period August and December 2016, following the last report which referred to cases up to the end of July 2016.

**RECOMMENDATIONS**

That Members note the contents of this report.

**Financial Implications**

There are no financial implications.

**Legal Implications**

There are no legal implications at the present time from the content of this report.

**Equality and Diversity**

There are no specific equalities implications at this time arising from this report.

**Risk Implications**

The potential risk implications of not following the current procedures may be increased litigation and cost to the Service, however, training and specialist advice and guidance in line with our procedures will reduce the impact.

**Consultation and Engagement undertaken**

None applicable to this period.

**Other implications**

None

## **BACKGROUND**

As part of the ongoing process, this report updates and summarises the period 1st August 2016 to 31st December 2016. Advice and guidance continues to be provided to support line managers. Statistical data for this period is attached for Members' information.

### **Informal Action**

26 incidents of informal action were recorded in this period.

17 of these were related to sickness, 7 for wholetime, 5 for retained staff and 5 support staff..

9 minor disciplinary offences were committed relating to conduct by members of staff – these were for differing reasons, with 2 issued to wholetime staff and the remainder to retained duty staff.

There were no cases of informal action relating to capability.

### **Formal Action**

4 discipline cases were heard in this period which resulted in a formal sanction being issued. One member of staff resigned prior to a decision being reached. Two other cases resulted in a dismissal, one of these was appealed and the decision overturned. No appeal was received in respect of the other case. One case was heard that resulted in a final written warning being issued.

Two further cases were investigated but the individuals resigned prior to the case going to hearing.

No cases in relation to grievance or capability were heard during this period

### **Trends**

Although there were a number of formal discipline cases in this period, three of these relate to the same investigation but there is generally a drop in most areas compared to a similar period last year. Although the numbers reported here are greater than the last report, this report covers a 5 month period against the 2 months in the previous report. The level of formal procedures is still low and this has been consistent over this financial year which is a positive trend.

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**Formal Discipline**

Role	WT/RT	Subject	Outcome
FF	RT	Discipline	Resigned before hearing concluded
Support	WT	Discipline	Dismissal, no appeal raised
Support	WT	Discipline	Final Written Warning
Support	WT	Discipline	Dismissal, reinstated on appeal

Two resignations were received prior to a hearing being conducted

**Formal Grievance**

No grievance cases were raised during this period.

Capability

No capability cases were raised during this period.

**Informal**

Role	WT/RT	Subject	Reason
FF	RT	Attendance	Absence levels fallen below the standard expected
FF	RT	Attendance	Absence levels fallen below the standard expected
FF	RT	Attendance	Absence levels fallen below the standard expected
FF	RT	Attendance	Absence levels fallen below the standard expected
FF	RT	Attendance	Absence levels fallen below the standard expected
Support	WT	Attendance	Absence levels fallen below the standard expected
Support	WT	Attendance	Absence levels fallen below the standard expected
Support	WT	Attendance	Absence levels fallen below the standard expected
Support	WT	Attendance	Absence levels fallen below the standard expected
Support	WT	Attendance	Absence levels fallen below the standard expected
CM	WT	Attendance	Absence levels fallen below the standard expected
CM	WT	Attendance	Absence levels fallen below the standard expected
FF	WT	Attendance	Absence levels fallen below the standard expected
FF	WT	Attendance	Absence levels fallen below the standard expected
FF	WT	Attendance	Absence levels fallen below the standard expected
FF	WT	Attendance	Absence levels fallen below the standard expected
FF	WT	Attendance	Absence levels fallen below the standard expected
FF	RT	Conduct	Not fulfilling declaration
FF	RT	Conduct	Unacceptable level of booking off call
WM	WT	Conduct	Failing to manage appropriately
FF	RT	Conduct	Failure to attend course
FF	RT	Conduct	Failure to comply with Service procedure
FF	RT	Conduct	Failure to comply with Service procedure
FF	RT	Conduct	Failure to comply with Service procedure
WM	WT	Conduct	Failure to comply with Service procedure
FF	RT	Conduct	General performance

Key:

WT/RT = Wholetime/Retained      FF = Firefighter      WM = Watch Manager      CM = Crew Manager  
Support = Support Staff

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

**Human Resources and Ethics Committee**

**31 January 2017**

**The Thomas Review - Independent Review of Conditions of Service for Fire and Rescue Staff in England**

**Report of the Chief Fire Officer/Chief Executive**

**SUMMARY**

This report summarises and presents the recommendations resulting from the Thomas Review. This report also presents information relating to the action plan that has been developed by the Service in order to address a number of the recommendations identified through the work undertaken as part of the Thomas Review.

This report will also be considered by the Scrutiny and Performance Committee at its meeting on 2 February 2017.

The review was commissioned in 2014 and designed to review the conditions of service of Chief Fire Officers and Firefighters and the process by which they are determined to consider whether they present barriers to the reform, improvement and efficiency of Fire and Rescue Services.

The report, which Members have previously been forwarded contains a total of 45 recommendations that impact on:-

- The working environment
- Documented conditions of service
- Industrial relations
- Duty systems
- Management of the Fire and Rescue Service

There are a number of these recommendations that are directed at individual Fire and Rescue Services and a number that are beyond the scope of the Service to implement as they relate directly to nationally agreed terms and conditions under the auspices of the National Joint Council as well as some recommendations that are directed at Government to review and implement. At this time there has not been a response to the Thomas Review published by Government.

**Appendix 1** presents the Service's analysis of the recommendations and illustrates the action plan recommended for implementation in relation to those which are applicable to the Service.

**RECOMMENDATIONS**

It is recommended that:-

1. Members note the contents and findings of the Thomas Review.

2. Members comment on and provide feedback on the action plan the Service intends to undertake in order to address a number of the recommendations made by the Thomas Review.

### **Financial Implications**

There are no financial implications arising from this report however in the event of costs being associated with the Service's methodology for implementing a number of recommendations this will be borne by current budgets.

### **Legal Implications**

There are no legal requirements for the Service to implement the recommendations made within the Thomas Review, however the findings support the ongoing Fire Reform agenda.

### **Equality and Diversity**

A people impact assessment will be conducted alongside the development and ultimate implementation of the actions detailed within **Appendix 1**.

### **Risk Implications**

With the forthcoming introduction of the Independent Inspectorate, information has been communicated from the Home Office that indicates Fire and Rescue Services and Authorities will be inspected against the recommendations of the Thomas Review. The risk of not implementing an Action Plan relating to Service specific recommendations could result in a challenging inspection result in due course.

### **Consultation and Engagement undertaken**

During the development of the review, 21 Fire and Rescue Services within England were visited with Staffordshire being one such Service. Engagement with various other bodies was also undertaken by the review author in order to inform the development of the final document.

In respect of the development of the Action Plan this has been discussed and explored through the Service's extended leadership team prior to review by the HR and Ethics Committee.

### **Protective Security**

There are no specific protective security issues relating to the production of this report.

### **Social Value and Procurement**

There are no specific social value or procurement elements relating to the production of this paper. In developing the Action Plan the Service will pay due diligence to these aspects in the event of any procurement being required to address the recommendations.

## Background

The review was commissioned and launched formally in October 2014 by the then Fire Minister Penny Mordaunt MP, with the aim of investigating further the barriers to change that had been suggested by Sir Ken Knight within his review of the efficiencies and operations of the Fire and Rescue Authorities in England. Terms of reference are available at **Appendix 1** of the appended report.

The review involved questionnaires; written submissions; desk research and visits to 21 Fire and Rescue Authorities within England; various Governmental departments; the employers' representatives; employees' representative organisations; academic researchers; Skills for Justice; ACAS; the Fire Service College and various diversity groups.

The review explored a number of areas in relation to terms and conditions predicated on the following questions: -

- Is the demand for services, the public's expectations of service and capability of the Fire and Rescue Service clearly articulated and communicated?
- Is the culture with the Fire and Rescue Service conducive to change?
- Is the current structure appropriate to the local fire authority requirements in terms of staffing (both whole-time and retained)?
- Does the changed workload allow for increased training and remit and a wider deployment model – a good example being technology introduction or co-responding?
- Are there real or imaginary barriers to change? If real what are they?
- What measures are needed to enable necessary change?

A number of key findings were identified in addition to the 45 recommendations contained within the report which have been identified as being the initial priorities for Fire and Rescue Services to address. These key findings are detailed below: -

- There is much re-building to be done around culture and trust, including addressing the concerns around bullying and harassment. This also has an obvious relationship with equality and diversity. Everyone deserves a work place free from bullying where employment and progression is on merit and free from bias. The Fire Service needs inspirational leaders able to deliver a high performing, engaged workforce. Where I found these leaders during my fieldwork visits I also found positive industrial relations. Understanding and surfacing the differing levels of industrial relations culture and trust is vital to moving forward in these areas. A service wide engagement survey focused on culture, equality and trust should be conducted on an annual basis. Management performance objectives should be 'hard wired' into this survey. Whilst embedding changes in management culture may take time, I believe the implementation of employee engagement surveys and amendments to management objectives could be taken forward by each fire and rescue authority and implemented relatively quickly.
- The Retained Duty System offers significant opportunity to align resources to risk at a significantly lower cost than maintaining full time cover at times of low level risk and activity. However the difficulties in recruiting retained duty system fire fighters were repeatedly communicated to me. In additional to supporting a national recruitment and communication programme Government should bring forward legislation that extends



employment protection (as enjoyed by military reservists) to fire fighters engaged on retained duty systems and part-time contracts.

- Conditions of service are currently documented in the Green, Grey and Gold books. My review makes no recommendation as to the Green Book. However, I find very little value in capturing conditions of service in the Gold and Grey Books. I found the Gold Book to be redundant, unread and unused in virtually every authority I visited or which responded to my questionnaire. I recommend that the Gold Book is discontinued and that the employers and representative bodies implement this recommendation as soon as is reasonably practicable. The Grey Book is held by fire fighters as a key foundation or anchor for their conditions of service, even though in most Fire and Rescue Services there are local derivations away from the national provisions contained within it. Employers repeatedly pointed out to me either that the Grey Book was a barrier to alignment of conditions of service with local delivery or that they had managed to change locally the conditions of service despite the Grey Book. Either way it appears to me that the Grey Book should be slimmed down. Consideration should be given by the employers, in consultation with representative bodies, as to replacing the Grey Book with a contract of employment at the local level, supported by an employee handbook. Base Pay (see section on training) should remain national but all other conditions of service should have a more regional/local flavour and I recommend that the national joint council takes action to explore how such a system could operate in practical terms.
- The description of role maps and duty systems in the Grey Book creates inflexibility in the deployment of fire fighters in support of the local Integrated Risk Management Plan. Roles maps are too restrictive and duty systems within the Grey Book in many Fires and Rescue Services do not reflect the changing activity from response to prevention. Both the list of role maps and the pre-determined duty systems should be removed from the Grey Book by the employers, in consultation with representative bodies.

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### Appendix 1: Service Actions

Recommendation	Directly applicable to the Service	Service Actions
<b><u>The Working Environment</u></b>		
1. 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.	Yes	The development of an empowering and inclusive culture has been a fundamental development within the Service over the last 8 years. The development of the Leadership Message, the cultural framework and the ongoing work in relation to the outcomes stated within the Leadership Message are key areas of work. The Wellbeing, Equality and Culture working group are tasked by the DCFO with specific elements of work in order to continue with the cultural development progress. The cultural framework is an integral aspect of the Service's appraisal process and forms part of objectives set during the appraisal process. Work is ongoing to develop a regular means of assessing employee engagement. Further work is being undertaken to develop this year's phase of 'Masterclasses' which is will continue to include aspects relating to cultural development.
2. Engagement with employee representatives at the earliest opportunity should be a feature of all change programmes.	Yes	Employee representatives form part of the decision making structures within the Service, a Staff Negotiation and Consultation Committee which includes members of the FRA exists with defined terms of reference. Regular meetings are held between the executive team and employee representatives in order to ensure a collegiate approach to dealing with change in the Service. There is a place on the Senior Management Board for non-trade union members in order to ensure other members of the Service have an opportunity to share their views.
3. Fire and Rescue Services should deploy training in effective change management, leadership and employee engagement in addition to Industrial Relations.	Yes	Over the last 12 months the Service has delivered a number of match fit classes which have incorporated change leadership, collaborative transformation leadership, alongside a supervisory manager development programme. The Service has a relationship with Keele University who have been commissioned to deliver bespoke industrial relations training over the last 3 years. Industrial relations development

		will form part of the supervisory manager development programme from 2017.
4. Increased importance should be placed by Fire and Rescue Services on employee communication - appropriate management training and processes (direct to employee) should be implemented.	Yes	The Service introduced a new intranet which includes access to information on a pull basis i.e. the employee can access it when they need it. A range of communication approaches are used across the Service which need to be evaluated to determine their effectiveness.
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.	Yes	Following a recent restructure of the Marketing and Communications department an internal approach to audit information will be developed in conjunction with staff to ensure the appropriate methodology is adopted.
6. Management performance objectives should be hard wired to the results of an annual employee engagement and communication survey.	Yes	Annual appraisals are conducted within the Service with direct links to the Corporate Safety Plan. The introduction of national standards will support the development of a consistent method of determining individual's performance objectives. These standards should cover all roles within the FRS.
7. Unconscious bias training should be rolled out across the Fire and Rescue Service.	Yes	This subject will form part of the Masterclass sessions that the Service will be hosting during 2017. Crucially this subject is one that is challenging to deliver through e-learning and as such a different approach to the development session is currently being explored.
8. The leadership of the Fire and Rescue Service (represented by the Local Government Association and Chief Fire Officers Association) and the employee representatives 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.	No	The Service is involved with the Inclusive Fire Service Working Group which acts under the auspices of the Local Government Association. This work is seeing the development of a Memorandum of Understanding which captures equality, diversity, behaviours and organisational culture in the Fire and Rescue Service. The Service has supported the development of a national People Strategy nationally and will be utilising it as the base of our Workforce Strategy as it is developed.

<p>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).</p>	<p>Yes</p>	<p>Any national work commissioned to explore the benefits of the cadet scheme will be fully supported by the Service. We do believe however that this research should include volunteers within FRS's thus broadening the opportunity to widen diversity without an organisation.</p>
<p>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.</p>	<p>Yes</p>	<p>The Service has a policy for secondary employment which requires individuals to seek permission prior to commencing secondary employment. This policy includes a requirement for an individual to have the appropriate insurance documentation in order for approval to be given.</p>
<p>11. Implement a single technological/equipment evaluation facility.</p>	<p>Yes</p>	<p>The Service has developed a regional research and development group which supports and directly contributes to the national Research, Development, Technology and Innovation (RDTI) hub that has been established through the Chief Fire Officers Association. The hub is based at the Fire Service College and coordinates the evaluation of equipment on a national level. The Service has undertaken in-house testing and evaluation through the regional group in order to support the programme of works being undertaken by the RDTI hub.</p>
<p><b><u>Documented Conditions of Service</u></b></p>		
<p>12. The Fire and Rescue Services in conjunction with the Government should create a national communication programme highlighting the range of activities and skills beyond fighting fires currently undertaken by firefighters. The aim of this would be to raise public awareness that creating a flexible Fire and Rescue Service aligned to prevention is key to increasing safety in the local community.</p>	<p>Yes</p>	<p>Locally the Service is working through a range of methods to raise the awareness of communities as to the role played by the modern Fire and Rescue Service. The uses of social media along with articles in local print media are designed to demonstrate the Service 'Behind the Badge'. In the event of a national communication programme being developed the Service would support this approach.</p>

<p>13. Slim down and modernise the Grey Book, removing duty systems and reference to role maps and national occupational standards and replace with contracts of employment.</p>	<p>No</p>	<p>The Grey Book is nationally negotiated and implemented through a collective bargaining agreement. In respect of reviewing and amending the agreements this is conducted through the National Joint Council (NJC) for Local Authority Fire and Rescue Services. As a Service we negotiate locally beyond the terms of the Grey Book and achieve collective agreements that operate outside of the terms and conditions contained within this national document.</p>
<p>14. Minimum night time shift hours should be removed from the Grey Book.</p>	<p>No</p>	<p>See detail under recommendation 13.</p>
<p>15. Disagreements regarding additional payments, collaborations or implementation of new technologies and working practices should be resolved locally without resort to the national advisory panels.</p>	<p>Yes</p>	<p>As a Service we are committed to negotiating outside of the Grey Book and when an agreement is difficult to reach we work pragmatically with trade union representatives to secure a solution. By ensuring trade union colleagues are involved at the outset of the problem, through the identification process, pragmatic solutions can be determined and then implemented using a collective agreement approach.</p>
<p>16. The national employers, government and employee representatives should, in support of establishing a changed culture (as detailed earlier), meet and agree a re-defined national joint protocol on industrial relations.</p>	<p>No</p>	<p>See detail under recommendation 13.</p>
<p>17. The ability to compulsorily move an individual from the flexible duty system should be introduced.</p>	<p>No</p>	<p>The current conditions as detailed within the Grey Book preclude this from occurring unless it is a voluntary agreement made with an individual. In the event of an individual being removed from the flexible duty system locally this would likely be a result of a local discipline issue. When reviewing the Grey Book at a national level the Service believes this recommendation be considered under the collective bargaining arrangements.</p>

<b>Industrial Relations</b>		
18. The National Joint Council 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 competences beyond 'safe to ride'.	No	The current arrangements in respect of the NJC are being reviewed by the LGA and Fire Commission.
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.	No	The current arrangements in respect of the NJC are being reviewed by the LGA and Fire Commission.
20. Remove Technical Advisory Panels and Resolution Advisory Panel and replace with a direct to ACAS approach. Fire and Rescue Authorities are undertaking a significant amount of local negotiation as they agree positions out with the Grey Book locally and this will not significantly increase workload or cost – in fact the Knight review suggested that local negotiations save money.	No	As a Service we are committed to negotiating outside of the Grey Book and when an agreement is difficult to reach we work pragmatically with trade union representatives to secure a solution. By ensuring trade union colleagues are involved at the outset of the problem through the identification process, pragmatic solutions can be determined and then implemented using a collective agreement approach.
21. The Government should recognise the increasing view that the current right to withdraw labour (take strike action) is incompatible with the expectations that the public has of an emergency service. As such Government should bring forward appropriate legislation to remove the	No	In publishing the Thomas Review the Government confirmed there was no intention to remove the right to strike at this time.

protection afforded under the Act to unions when their collective strike action, or action short of strike, impedes the Fire and Rescue Service from making an emergency response. The right to strike being retained for non-emergency activities.		
22. If the Government determines not to bring forward legislation to restrict the right to strike then Government should instigate consultation with a view to agreeing with employees impacted a no strike agreement in emergency situations. The right to strike being retained for non-emergency activities.	No	In publishing the Thomas Review the Government confirmed there was no intention to remove the right to strike at this time.
23. The chair of the National Joint Council should instigate an independent review of the structure and representative make-up of the National Joint Council to enable it to perform effectively 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.	No	The current arrangements in respect of the NJC are being reviewed by the LGA and Fire Commission.
<b><u>Retained Duty Systems</u></b>		
24. Fire and Rescue Authorities should adopt duty systems and staffing which align fire fighter availability to the planned work load (e.g. community safety) whilst providing response cover appropriate to the Integrated Risk Management plan should be encouraged.	Yes	As part of the Service's approach to transforming the emergency response arrangements duty systems are reviewed inline with ongoing changes. As part of the recent Community Safety Options further changes were made to the Service's response arrangements which were fully implemented by Jan 2016. By Jan 2017 a new remuneration for RDS personnel will be introduced along with further additional changes to the whole-time crewing model both of which have required successful negotiations outside of the Grey Book.

<p>25. Fire and Rescue Authorities should be required to provide 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 Fire and Rescue Service.</p>	<p>Yes</p>	<p>The Service reports on the availability of retained personnel through reports to the Scrutiny and Performance Committee. The use of an annual statement incorporating aspects of recommendation 26 will be explored by the Service and could be incorporated within the Service's Annual Statement of Assurance.</p>
<p>26. As part of the annual statement Fire and Rescue Services should be required to provide an annual commentary on the number and use of retained firefighters and in particular to report on the level of mixed crewing or co-working with whole-time personnel.</p>	<p>Yes</p>	<p>See detail under recommendation 25.</p>
<p>27. Legislation should be brought forward to provide employment protection to fire fighters employed on the Retained Duty System. This legislation is already in place for other groups (military reservists, magistrates and so on).</p>	<p>No</p>	<p>This is a matter for Government to support, however locally we are working with MPs in order to secure a position nationally which provides support to employers who have retained firefighters within their workforce. This work is ongoing and supports the Chief Fire Officers Associations national work on the Retained Duty System.</p>
<p>28. A national awareness programme for retained duty system personnel should be produced.</p>	<p>No</p>	<p>Locally the recruitment material and campaign approach for RDS staff has been reviewed and a new approach implemented which includes awareness sessions and development to ensure potential applicants are prepared for the selection process.</p>
<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>	<p>No</p>	<p>This is an issue to be determined through the RDS national group in order to determine if this would be an effective use of resources. Support from Governmental level is required in order to ensure this worked effectively and was attractive to employers of RDS staff. The recent negotiation relating to the new remuneration which is outside of the scope of the Grey Book could be considered to be a trial of a new bounty type system.</p>



<b><u>Management of Fire and Rescue Services</u></b>		
30. 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.	Yes	The FRA reviewed its size 2 years ago and reduced from the maximum number permitted under the Combination Order to 21. The FRA continues to have the opportunity to review its size.
31. Recruitment and selection academic standards should be immediately raised.	Yes	The Service will be utilising the Trailblazer apprenticeship for new whole-time firefighter entrants. As individuals progress through the organisation appropriate development is available for them. At this time the paper based selection tests require an A-C in Maths and English in order to be successful. The new apprenticeship may forgo the requirement for A-C as pre-entry academic qualifications, as the outcomes of completing the level 3 apprenticeship may relate to the achievement of said pre-entry criteria. This approach would create more inclusive access to the role of firefighter in the future.
32. Fire and Rescue Services should create critical mass by collaborating in recruitment including lateral recruitment into 'fast track' management programmes.	Yes	The Service has previously supported the national High Potential Leadership Programme and would look to explore any opportunity a national approach had to offer.
33. 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.	Yes	The Service undertook a trial with Nottinghamshire FRS in 2016 which involved an officer from each Service working in the other's organisation for a 12 month period. Both Services have committed to a further officer secondment at an appropriate time.
34. 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.	No	At this time the FRA has not indicated a desire to merge with another FRA.

<p>35. Fire and Rescue Services should maintain an up-to-date strategic workforce plan.</p>	<p>Yes</p>	<p>The Service is currently working to support a nationally agreed People Strategy which will be available for use by all Fire and Rescue Services. Succession planning within the Service is ongoing and will form part of the Service's strategic workforce plan. This plan will link directly to the national work on standards, which the Service is supporting, and the development of the Trailblazer Firefighter Apprenticeship, which the Service is leading on nationally for all Fire and Rescue Services.</p>
<p>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 a strategic workforce development plan.</p>	<p>Yes</p>	<p>A supervisory manager development programme was introduced into the Service during 2015. This includes an incident command module which operates alongside a 'ticket to ride' for individuals that may undertake the role of Incident Commander in the Service. The Service piloted an officer swap with Nottinghamshire from August 2015 to August 2016. This gave development opportunities to a middle manager from each Service to experience working in a different organisation. This identified areas of learning for both Services and the individual concerned. At an appropriate stage in the future both Services are committed to offering a similar opportunity to other officers.</p>
<p>37. The expectation that all fire fighters attain the same, maximum, level of competency should be removed. The wide and increasing range of roles and activities undertaken by fire fighters calls for a more sophisticated alignment of capability with the activity required in support of the local Integrated Risk Management Plan than can be provided by the view that 'a fire fighter is a fire fighter'.</p>	<p>No</p>	<p>The role-maps currently defined for firefighters are part of the nationally agreed terms and conditions. The Service already has firefighters with different skill sets based on the demand and risk within the area that they predominantly serve. The Service utilises different types of vehicles at different stations and there is not a requirement for firefighters at other stations to have the same level of expertise.</p>
<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 fire fighter retains their job albeit without that competency).</p>	<p>No</p>	<p>Levels of pay are negotiated at a national level as part of the current NJC arrangements. The Service currently employs development and competency rates of pay as defined through the current terms and conditions developed by National Joint Council (NJC) for Local Authority Fire and Rescue Services.</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.	Yes	The apprenticeship scheme that the Service is currently the trailblazing organisation for can be extended to cover all levels within the Fire and Rescue Service. This element is being explored as part of the ongoing work however the Service is committed to utilising this approach for levels 3 – 7 linked to roles within the Service. This further links to the national work on standards which will provide a framework for the development of this cadre of managers/leaders.
40. Fire and Rescue Services not using the Executive Leadership Programme should reconsider doing so.	Yes	The Service utilises the ELP and the Chief Fire Officer is the Programme Director and works on behalf of the Chief Fire Officers Association to ensure the programme is up to date and relevant to those attending.
41. A lateral, industry wide, recruitment scheme should be created. This will fast track managers through the experiential requirements and into senior roles.	No	The Service previously supported the national High Potential Leadership Programme and would support a national scheme in the event of one being developed.
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.	No	The Gold Book is nationally negotiated and implemented through a collective bargaining agreement. In respect of reviewing and amending the agreements this is conducted through the National Joint Council for Principal Fire Officers (NJC) of Local Authority Fire and Rescue Services.
43. All Fire and Rescue Services and Fire Authorities should review the accessibility of their pay policy statements.	Yes	Access to the pay policy is via the website contained within the 'Our Finances' section.
44. The Chief Fire Officers Association 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.	No	The development of the National Fire Chiefs Council (NFCC) and the introduction of a full-time Chair for a minimum of 2 years has now been approved through CFOA. The NFCC meets for the first time in February 2017.

<p>45. Finally all participants in the fire industry should adopt the principle of: - “Where change is common sense it should become common practice”</p>	<p>Yes</p>	<p>This has been a position taken by the Service for the last 6 years, during our own internal transformation journey. Sharing of learning takes place with other Services but on a more informal basis rather than through national machinery. The use of Joint Operational Learning and National Operational Learning shares common sense in respect of operational incidents which the Service contributes to. The introduction of the Independent Inspectorate should provide best practice at a national level for the Service to review and bring forward recommendations to the FRA.</p>
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**Stoke-on-Trent and Staffordshire Fire and Rescue Authority**

**Human Resources and Ethics committee**

**31 January 2017**

**Retained Duty System Update**

**Report of the 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 locations and Retained Duty System (RDS) – crewed on call 24/7 at thirty locations. From 1<sup>st</sup> January 2017 the Retained Duty System has 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 394 along with a new payment mechanism that, from 1<sup>st</sup> January 2017, applies to all RDS staff. The Retained Duty System 2017 is attached as an **Appendix** to this report.

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 £1M 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 £5M, a net reduction of £0.5M 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 in post of Home Secretary; Brandon Lewis, the current Police and Fire Minister and Sir Ken Knight and Adrian Thomas in reports released over the last few years.

### **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 wholtime 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
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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				