

<b>REPORT REFERENCE NO.</b>	<b>CSCPC/19/1</b>
<b>MEETING</b>	<b>COMMUNITY SAFETY AND CORPORATE PLANNING COMMITTEE</b>
<b>DATE OF MEETING</b>	<b>27 JUNE 2019</b>
<b>SUBJECT OF REPORT</b>	<b>SERVICE DELIVERY OPERATING MODEL PHASE 1 – NEW DUTY SYSTEMS AND CONTRACTS FOR OPERATIONAL STAFF</b>
<b>LEAD OFFICER</b>	<b>DIRECTOR OF SERVICE IMPROVEMENT</b>
<b>RECOMMENDATIONS</b>	<i><b>That the report be noted.</b></i>
<b>EXECUTIVE SUMMARY</b>	<p>Report reference no. CSCPC/18/7 endorsed by the Community Safety and Corporate Planning Committee (the Committee) in December 2018 described a number of options for new duty systems to be developed within Devon &amp; Somerset &amp; Fire &amp; Rescue Service (the Service).</p> <p>Subsequent discussions, information and engagement has allowed the Service to refine the original proposals to six distinct solutions that will support the stated aims of matching resources to risk and increasing levels of prevention and protection activity.</p> <p>Formal negotiations have commenced with the relevant Trades Unions on these various solutions. It is anticipated that negotiations will be swiftly concluded for those systems that are broadly compliant with nationally negotiated terms and conditions, but protracted talks may be needed for those that are outside of these conditions.</p> <p>These duty systems will require a collective agreement to be made between the Service and the Trades Unions in order to achieve implementation.</p>
<b>RESOURCE IMPLICATIONS</b>	None
<b>EQUALITY RISKS AND BENEFITS ANALYSIS (ERBA)</b>	People Impact Assessments have been conducted on each of the proposed duty systems
<b>APPENDICES</b>	None
<b>LIST OF BACKGROUND PAPERS</b>	Report reference No. CSCPC/18/7

## 1. **INTRODUCTION**

- 1.1 Members of the Community Safety and Corporate Planning Committee (the Committee) have previously been presented with an options paper regarding the development of new duty systems and contracts for operational staff (report reference no. CSCPC/18/7) within Devon & Somerset Fire & Rescue Service (the Service)
- 1.2 The Committee endorsed the Service approach to developing this work in order to enable the Service to deploy a variety of duty systems from an agreed suite of solutions (identifying one size does not fit all) that are tailored to the risk of the particular area it serves. This may include hybrid of whole time and on call systems to allow greater flexibility and adaptability, taking on a holistic systems approach to tackling risk.
- 1.3 This report provides an update on that work for the Committee to note.

## 2. **BACKGROUND**

- 2.1 In October 2018 the Service conducted a workshop with Service Delivery staff from all levels of the organisation. At this workshop staff were presented with information around our current performance and our risk picture across the range of communities.
- 2.2 Some ideas from other fire and rescue services were shared for consideration and Staff were asked to put forward their own ideas for how we could change the way we work. Their ideas had to facilitate more capacity for prevention and protection activities; better response arrangements and availability and other benefits, such as efficiency, creating a more diverse workforce and greater staff wellbeing.
- 2.3 This was followed by several engagement drop in sessions held across Devon and Somerset to share the range of ideas generated by staff and the original information for feedback and to encourage any further ideas.
- 2.4 By reviewing all the feedback gathered and the specific solution creation exercises undertaken during the October 2018 workshop in order to meet the aim of a better use of our resources to meet risk whilst improving our capacity to deliver prevention and protection work, the Service identified 9 duty system solutions for further development.

## 3. **UPDATED POSITION**

- 3.1 Over the past 6 months the Service has continued to work with staff and the representative bodies to further refine the possible duty solutions available.
- 3.2 This has included staff visiting other Fire & Rescue Services to view different systems and visits from other Services to explain how other systems work in practice.
- 3.3 During this time, European case law was established with regards to the interpretation of the Working Time Directive for 'volunteer firefighters'.
- 3.4 The term 'volunteer firefighter' has different meanings throughout the European Union but an early review of the case indicated that the outcomes would need to be considered within the scope of developing the duty options for the Service. The main issue being the level of containment in terms of geography and time expected of an individual in maintaining their availability to crew a fire appliance.

- 3.5 In addition to this, there have been ongoing negotiations between the National Employers and the Fire Brigades Union with regards to the possible expansion of the Fire Fighter role map which also needed to be considered. These negotiations are currently stalled.
- 3.6 The outcome of these discussions and considerations is the proposal of six different duty systems that have now been presented to the representative bodies for formal negotiation.
- 3.7 The six duty systems in principle are:

<b>Duty Solution 1:</b>
<b>Wholetime Flexi Rostering</b>
<p>Flexi-Rostering system would allow the Station to effectively manage their resources against the required hours of cover required to meet the risk in the area. There would be a number of options for shift times within a self-rostering arrangement that the Service could examine. This is a flexible team based approach with staff allocating their own shifts within an agreed rule set to ensure that planned crewing levels are maintained.</p> <p>By engaging staff to influence a new shift system designed, within a framework that matches resources to risk based in and around each specific station response map, will result in a shared goal and effective delivery model. This will meet our strategic intent of implementing new crewing models and flexible contracts to improve availability and enable community safety work.</p>
<b>Duty Solution 2:</b>
<b>Whole time 2-2-4 with amended crew change times - based on local risk profile data.</b>
<p>This solution would allow some stations to remain on a 2-2-4 basis but with adjusted shift times.</p> <p>Evidence shows that there is a greater demand of response between 0900 and 2200, with the spike in the numbers between 1600 and 2000. Currently our shift change over times are 0900 – 1800 for days &amp; 1800 – 0900hrs for nights which is not conducive to being at a state of readiness at peak times and incurs additional overtime and staff changeover costs.</p>
<b>Duty Solution 3:</b>
<b>Wholetime Flexi Rostering Day Crew</b>
<p>Similar to solution 1 above this would allow staff to effectively manage their work pattern against the required hours of cover required to meet the risk in the area – covering days only.</p> <p>This supports are intent to provide an improving culture of inclusivity and better work/life balance for staff. It will also ensure we can prioritise and increase our capacity to deliver prevention and protection activities in our communities</p>

#### **Duty Solution 4:**

##### **Wholetime Operational Day Crewing**

This solution effectively means giving the Service the ability to match response to risk in areas that have varying levels of availability and currently little capacity to deliver effective prevention and protection activity.

Day crewing with wholetime full time equivalent firefighters during office hours Monday to Friday at various locations to further support our prevention, protection and response activity

#### **Duty Solution 5:**

##### **On Call Availability**

On Call personnel would be paid to maintain availability on an hourly basis rather than receiving a retaining fee. Minimum and maximum numbers of hours would be set per week but staff would have the flexibility to vary their cover to support availability.

Failure to maintain minimum crewing levels will result in no payments to any available staff.

Benefits of this system include:

- Increased flexibility for staff whilst enabling a more agile, cost effective service provision.
- Increases availability to ensure we can give the right response, at the right time, whilst making the most efficient use of resources.
- Fairer as it is applied across the Service.
- Fairer reward as staff are paid for every hour that they are standing by.
- Less barriers to recruitment with more flexible contract lengths – benefits to diversity of workforce
- Fairer allocation of shifts and operational experience across station personnel– at the moment those living/working closest to the station tend to get the majority of the calls, whilst others are required to be on call for long periods but rarely get to attend incidents.

#### **Duty Solution 6:**

##### **On Call Call Back**

An On Call contract to provide response within 30 minutes to a set location to support specialist appliance mobilisation.

This would be an additional resilience contract designed to support dual crewed appliances that are not subject to a defined emergency response standard.

4. **NEXT STEPS**

- 4.1 Formal negotiations on all 6 duty systems have been opened with the relevant trades unions.
- 4.2 Some of the systems remain compliant with the existing national terms and conditions for fire fighters as described in the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service (the 'Grey Book'). It is anticipated that negotiations on these areas should be swiftly concluded.
- 4.3 For those systems that are not 'Grey Book' compliant there is a requirement for a local collective agreement to be made between the Service and the relevant Trades Union(s). Early indications are that this could be an elongated process as referral may need to be made to regional and national governing bodies of the Trades Union(s) for agreement.
- 4.4 The implementation of new duty systems supports phase 2 of the Service Delivery Operating Model which will be discussed elsewhere on the agenda.
- 4.5 As these matters are now subject to internal negotiation, it is suggested that no further distinct reports are made to the Committee but updates will be referenced in the wider implementation of the Service Delivery Operating Model for the future.

5. **RECOMMENDATION**

- 5.1 It is recommended that the report be noted.

**ACFO PETER BOND**  
**Director of Service Improvement**