**ESSEX FIRE AUTHORITY**

Essex County Fire & Rescue Service

|  |  |  |  |
| --- | --- | --- | --- |
| Meeting | **Performance and Resources Board** | Agenda Item | 11 |
| Meeting Date | 30th July 2018 | Report Number |  |
| Report Author: | Director Prevention, Protection and Response |
| Presented By | Director Prevention, Protection and Response |
| Subject | **Mixed Crewing and Additional Shift Working** |
| Type of Report: | Information |

# Recommendations

1. This report is provided as an information item to update the Police and Fire Crime Commissioner (PFCC) on the Service’s current arrangements for crewing appliances with both On-call and Wholetime firefighters.

# BACKGROUND

1. The Service signed a dispute resolution with the Fire Brigades Union (FBU) in March 2017. An important aspect (page 7;1(a)) was the implementation of a Mixed Crewing and Additional Shift Working Policies. Principles for these polcies were also agreed and included as appendicies. The key parts to this can be found in Appendix One of this report. These policy documents have now been completed and agreed with the FBU. Unfortunately that is not the case with the Fire and Rescue Service Association (F&RSA). The Service is currently waiting to see if the F&RSA formally ‘fail to agree’.
2. The issue of having On-call and Wholetime Firefighters riding the same appliance has always been meet with challegnes within the Service. Nationally the FBU passed a resolution in 2004 which set criteria which local union officials are instructed to ensure are met, these are listed below; -
* All members of any crew must either in development or competent phase of their role
* Mixed crewing will not be carried out to supplement wholetime stations or crews when the approved watch/station strength has not been achieved
* All competencies must be demonstrated and auditable within IPDS
* At no time shall agreement be reached when any mixing of differing duty system personnel would mean an extended turn out time of a fire appliance or specialist appliance
* At no time shall agreement be reached when the crewing of an appliance by personnel on differing duty systems would allow the reduction of current (2003) establishment levels
1. In addition to this the FBU raised concerns of On-call personnel not having had the exposure to risks within their On-call role which they would be exposed to at some wholetime stations. An example used being On-call crews in the North-east of the county not having practical experience of motorway procedures.
2. The highlighted paragrphs in Appendix One were mainly included to address the bullet points above, as were the establishment levels also agreed within the dispute resolution document. Those areas highlighted also appear to be those which the F&RSA do not agree with.
3. The work the Service has done within its Core Hours project has also be useful in identifying training needs going forward and addresses much of the FBU’s concerns on training provided for On-call personnel.
4. Despite not formally having the policies in place, mixed crewing is being used at stations where there are both Wholetime and On-call appliances, and On-call personnel are suitably trained e.g. Clacton.
5. On-call have also been used for Additonal Shift Working at Wholetime stations, however proptionally the rate is low compared to Wholetime.

**NEXT STEPS**

1. Once the Policies have formally gone through the consultation process the Services needs to use them more proactively. Examples of this would be using Day-duty officers to support On-call stations and, once the Service has a more effective means of monitoring On-call hours, being more proactive with On-call to On-call outduties.

# Benefits and Risk Implications

1. Mixed Crewing and Additional Shift Working are fundemental in ensuring appliance availability and in being able to successfully transition from Day-crewing to On-call as part of the 2020 programme.
2. These policies, if implemented effectively, can and will play an effective role in challegning some of the cultutral divide which rest between Wholetime and On-call staff.

# Financial Implications

1. Payment for Additional Shift Working and Mixed Crewing are in line with the Grey Book terms and conditions.
2. So far in this finnacial year the Service’s spending is approximately £250k against a £500K budget (including a £50k virement).

# Equality and Diversity Implications

1. Non specific to this report.

# STAKEHOLDER Engagement

1. The current engagement with the represnetative bodies is set out within the paper.

# Legal Implications

1. None specific to this report.

**Appendix One**

**Mixed Crewing Policy**

**POLICY STATEMENT**

This policy provides the overarching framework for operational personnel, from all duty systems, to maintain the required crewing levels to maintain operational availability in line with the Service’s Integrated Risk Management Plan (IRMP).

This Policy should be read in conjunction with ECFRS Additional Shift Working Policy.

**SCOPE**

Mixed Crewing will be used to maintain fire appliance availability to support the Service meeting the Authority’s response standards, meet the requirements of the Authority’s Integrated Risk Management Plan (IRMP) and other essential work within the Fire and Rescue Services role maps. Mixed Crewing will not be used to crew fire appliances to cover a reduction of establishment levels below those established within the Authority’s IRMP. These establishment levels will be monitored via the Joint Negotiating and Consultation Committee. More specifically this policy[[1]](#footnote-1) covers; -

• Whole-time and Day-duty personnel deployed to On-Call (and in the case of Day-duty personnel deploy also to whole-time) fire stations/fire appliances to support operational availability during normal contracted working time; and

• On-Call firefighters mix crewing an appliance with wholetime firefighters at their home fire station.

* On-Call firefighters mix crewing on wholetime station is covered under the Additional Shift Working Policy

**PRINCIPLES**

This principle of this policy complement the spirit of the nationally agreed circular; National Joint Council NJC Circular 13/03, which states; -

*‘With effect from 7th November 2003 there is no barrier to any employee working on a combination of different whole-time, part-time and retained (On-Call) duty systems at the same or different places of work or to employees working on different duty systems making up the crew of the same fire appliance’,*

and the Scheme of Grey Book, 6th Edition, 2004 (amended 2009) which states:

*‘All working arrangements will operate on the basis that employees will undertake the duties appropriate to their role and be deployed to meet the requirements of the fire and rescue authorities Integrated Risk Management Plan. This may include a requirement to work at different locations’.*

**USE OF MIXED CREWING**

* Any work allocated to be undertaken will be in line with the relevant role map of the individual/role they are fulfilling.
* Personnel utilised under mixed crewing arrangements which are not at their home fire station will be competent in role.
* Firefighters will only be expected to test or use operational equipment where they have been trained and deemed competent.
* For Day-duty Officers, where a longer-term shortage is identified, or for developmental purposes of the officer involved, an individual’s normal working location could be temporarily relocated to a venue/watch to provide operational cover.

**Additional Shift Working Policy**

**POLICY STATEMENT**

This policy provides the overarching framework to all non-flexi uniformed personnel on Additional Shift Working (ASW) arrangements. The policy is accessible to all eligible staff across all duty systems. The spirit of the policy is to offer those who volunteer an opportunity to work additional shifts/hours to maintain operational availability.

**SCOPE**

ASW will be used to maintain fire appliance availability to support the Service meeting its response standards, meet the requirements of the Authority’s Integrated Risk Management Plan (IRMP) and other essential work within the Fire and Rescue Services role maps. ASW will not be used to crew fire appliances to cover a reduction of establishment levels below those agreed within the Authority’s IRMP. These establishment levels will be monitored via the Joint Negotiating and Consultation Committee.

**PRINCIPLES**

This principle of this policy complement the spirit of the nationally agreed circular; National Joint Council NJC Circular 13/03, which states; -

*‘With effect from 7th November 2003 there is no barrier to any employee working on a combination of different whole-time, part-time and retained (On-Call) duty systems at the same or different places of work or to employees working on different duty systems making up the crew of the same fire appliance’,*

And the Scheme of Grey Book, 6th Edition, 2004 (amended 2009) states:

*‘All working arrangements will operate on the basis that employees will undertake the duties appropriate to their role and be deployed to meet the requirements of the fire and rescue authorities Integrated Risk Management Plan. This may include a requirement to work at different locations’.*

**USE OF ADDITIONAL SHIFT WORKING (ASW)**

* Additional shifts will be offered on a rotational basis, but other factors, such fire appliance availability of an individual’s own fire station, and specialist skills required, will also be taken into account.
* Due to the dynamic nature of fire appliance availability, that there may be occasions where the individuals base fire station appliance is impacted by supporting ASW. However, when allocating ASW the Service, where an additional shift impacts upon the individual’s base fire station, prior agreements from the base fire station manager, or above, should be sought.
* Where ASW arrangements are On-Call to On-Call, this will be based on a minimum period of four hours
* Any work allocated to be undertaken will be in line with the relevant role map of the individual/role they are fulfilling.
* Where On-Call are completing an additional shift, stand down periods (before and after shift) will be equivalent to the period of that shift up to 9 hours. Where requested to fill a shift at late notice, an On-Call firefighter will not have been at their primary employment, or attended an operational call for the Service for this period prior to the shift.
* Additional shifts at Day-crewed fire stations will be managed on a 24-hour basis and paid accordingly (i.e. positive hours during the day and a retainer and other contractual allowances at other times).
* No contractual changes are necessary where the Service seeks to utilise On-Call personnel for additional working: any hours of availability will be considered within their existing hours of availability.
* Any ASW undertaken must not contravene the Working Time Directive policy.
* Where both wholetime and On-Call personnel work at the same fire station, it may be deemed appropriate to offer an additional shift to an On-Call person in order to enhance their development. This may lead to standby not being required, or wholetime person then being required to stand-by at another fire station.

**ELIGIBILITY**

* Each application will be considered on a case by case basis and application must be approved by an individual’s line manager.
* Additional shifts shall first be offered to those personnel whose normal place of work is at the fire station requiring cover, if no-one is available at the base fire station, it shall be offered to the individual who is highest in the list who works within that fire stations Group[[2]](#footnote-2)
* Staff at Watch Manager B level and below will be eligible for ASW.
* Fire-fighters in the development stage of TASK (Phase II) will only be eligible for ASW at their base fire station unless the individual’s development plan has been shared with the receiving Watch Manager.
* Employees will normally undertake ASW at their current rank/role, if no-one within the substantive role is available to fulfil the additional shift, the shift shall be offered to the individual highest on the list with the relevant qualifications to acting up into the role.
* Whole-time staff are only eligible for ASW during their middle two of their four rota days.
* Employeeswill not be offered ASW during their leave period.
* Employees who have a whole time/On Call contract will not be eligible for ASW.
* Should an individual not attend an Additional shift that has been accepted they will be asked to clarify why. Failure to provide an appropriate reason may lead to line management approval being removed.

|  |
| --- |
| LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 |
| List of appendices attached to this paper: |
| List of background documents (not attached): |
| Proper Officer: |  |
| Contact Officer: |  |

1. For On-Call to Wholetime fire stations please refer to the Additional Shift Working Policy [↑](#footnote-ref-1)
2. Group in this context refers to one of the 4 areas which the Service is divided into for management purposes [↑](#footnote-ref-2)