

## Report of the Chief Fire Officer

### Employee Relations Update

#### Purpose of report

1. To update Members on the recent progress that has been made in respect to employee relations issues currently faced by the Service.
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#### Recommendations

##### *It is recommended that:*

- (1) following the recent local agreement (in respect to a 12-Hour Day Duty System), between the Service, the Fire Brigades Union (FBU) and the Fire Officers Association (FOA) - the previous Fire Authority mandate to the Chief Fire Officer to progress with any dismissal / re-engagement process aimed at implementing a suitable day duty system into the contracts of firefighters and uniformed supervisory managers, be withdrawn;**
- (2) the previous 10-Hour Day Duty System that is within some existing employment contracts be withdrawn and the 12-Hour Day Duty System be incorporated into all relevant operational contracts of employment; and**
- (3) the Fire Authority extends its gratitude to both FOA and the FBU for their constructive engagement with the Service on this issue over the last few months, which has helped to facilitate viable options being presented to the Fire Authority today.**

#### Introduction and Background

2. Following a protracted period (many months) of extensive consultation and negotiation, the Service had not been able to reach agreement on a number of issues with the Fire Brigades Union (FBU), where those changes have affected their members. These negotiations were aimed at moving forward with a series of necessary changes designed to deal with a range of efficiency and effectiveness requirements arising from:
  - the Service's Medium Term Financial Plan (MTFP) saving needs
  - the 2014-2020 CRMP
  - the desire of the Fire Authority to make on-going improvements

- the requirement to increase resilience and efficiency
3. As a consequence, although the Service continued to remain open to reaching agreement in these matters - where it was appropriate, lawful and practical to do so - it was also given the mandate from the Fire Authority to progress with a number of these changes without FBU agreement, but only after it had become apparent that the current round of consultation and negotiation had been fully exhausted.
  4. In response, on 12<sup>th</sup> July 2019, the FBU instigated a trade dispute with the Service, primarily focussed on the implementation of the 10-Hour Day Duty system, but also including changes to the Service structure around supervisory management on fire stations. It also became apparent that a significant underlying issue (linked to the 10-Hour Day Duty system) was the potential use of any dismissal / re-engagement process used to affect such change.
  5. As a consequence, both sides have now taken the opportunity to re-assess their respective positions on a number of outstanding issues, which has resulted in renewed local engagement between the parties and a commitment to explore alternative options to resolve the matters highlighted in the trade dispute correspondence, within the confines of the financial, organisational and legal restrictions facing the Service.
  6. Most notably, a significant step forward was made earlier this month, with the acceptance by the local FBU Brigade Committee of a negotiated 12-Hour Day Duty System, which has since been considered by the FBU national duty system committee. The system has also been accepted by the Fire Officers Association (FOA) locally. This means that HWFRS now as an agreed alternative to the 10-Hour Day Duty System which can now be implemented as the suitable day duty system highlighted in previous Fire Authority papers linked to on-going issues around both the Day Crewing (DC) and Day Crewing Plus (DCP) duty systems.
  7. Furthermore, implementing the 12-Hour Day Duty System means that the implementation of the 10-Hour Day Duty can now be halted, which itself also removes the major staff concern around any dismissal / re-engagement process being taken forward.
  8. Finally, a joint commitment has been made by the Service and the FBU to continue to constructively explore options around resolving the other issues cited in their trade dispute correspondence, although it is recognised by all parties that this may take some time and require compromises, as the on-going financial and wider operating environment facing the Service needs to be fully considered and taken into account.

## Conclusion/Summary

9. In summary, following many months of a challenging employee relations environment between the Service and the FBU, a renewed commitment from both parties to seek reasonable resolutions to a number of issues has resulted in a breakthrough in respect to an agreed day duty system that is suitable for the Service needs.
10. This 12-Hour Day Duty System allows a number of areas of contention (i.e. Day Crewing Plus and Day Crewing, as well as dismissal/re-engagement) to be progressed positively towards resolution.

## Corporate Considerations

<b>Resource Implications</b> (identify any financial, legal, property or human resources issues)	The changes suggested within this report will require the implementation of a new 12 hour day duty system and also amendments to employment contracts.
<b>Strategic Policy Links</b> (identify how proposals link in with current priorities and policy framework and if they do not, identify any potential implications).	The changes brought about by this paper will align the Service fully to the CRMP 2014 – 2020
<b>Risk Management / Health &amp; Safety</b> (identify any risks, the proposed control measures and risk evaluation scores).	N/A
<b>Consultation</b> (identify any public or other consultation that has been carried out on this matter)	Consultation regarding the 12 Hour Day Duty policy needed to support the change has been negotiated with Representative bodies and been carried in accordance with Service procedures.
<b>Equalities</b> (has an Equalities Impact Assessment been completed? If not, why not?)	The CRMP 2014-2020 was approved with a full EIA and therefore remains in place to support the proposed change.

## Supporting Information

N/A

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