

LEICESTERSHIRE

FIRE and RESCUE SERVICE

Status of Report: Public Agenda Item: 16

Meeting: Combined Fire Authority
Date: 8th April 2015
Subject: Scheme for Out of Hours Cover for Fire Inspection Officers
Report by: The Chief Fire and Rescue Officer
Author: Andrew Brodie (Head of Community Safety)
For: Decision

1. Purpose

This report seeks the approval by the Combined Fire Authority (CFA) for a scheme to provide out of hours response cover by Fire Inspection Officers in support of on scene Incident Commanders.

2. Executive Summary

Fire Inspection Officers provide Out of Hours Cover (OOHC) to respond to incidents in support of on scene Incident Commanders. The current scheme does not align to other contractual arrangements in the CFA and needs to be brought into line. The proposed scheme requires 8 of the 11 Fire Inspection Officers to provide cover on a rota basis with one person being available at all times. They will receive a 10% allowance which is in line with other similar schemes in the organisation.

3. Report Detail

Current Scheme

- 3.1 The current scheme (an associated payment) is based on the number of inspectors volunteering to provide OOHC:
- A flexible system enabling between six and eleven to provide cover.
 - Officers receive an equitable share of a £29,582 budget.
 - They are paid a 'retainer' plus an hourly rate each time they respond.
 - The retainer each officer receives is dependent on the number of inspectors providing cover. There are currently nine, each receiving 1/9th of the budget.
- 3.2 The system is perceived to be fair however callout payments are not fixed and it is not in line with other payment schemes for providing OOHC.

Proposed New Scheme

- 3.3 As the current OOHC is voluntary there is no requirement to take part under the existing Fire Inspection Officer contract. It is proposed that the current arrangements should be formalised within a revised contract for those volunteers taking part and that future new starters will be obliged to provide cover if required. This should ensure that the scheme is resilient and robust. It is felt that 8 Fire Inspecting Officers out of the establishment of 11 are required for the new scheme. The revised arrangements have required formal staff consultation. CFA approval is required for these contractual changes as they sit outside the Grey and Green Books (9 staff are employed on the former and 2 on the latter conditions of service).
- 3.4 More radical options have also been considered previously. For example:

- **Using flexible duty officers**

Fire safety has changed significantly over recent years, moving from a very prescriptive, fixed approach, to a more fluid, risk based solution. There would be a significant training requirement to get all flexi duty officers up skilled sufficiently. This coupled with reduced numbers of flexi duty officers, means that is not a viable option.

- **Cease out of hours provision altogether**

The provision was trialled in June 2011 for one year, following the requirement to conduct post-fire fire safety audits. Following the trial the OOHC was agreed by the Senior Management Team (SMT) in June 2012 and implemented on a voluntary basis. The provision has been well received by operational personnel and regulatory partners. It has ensured that the CFA has been able to act appropriately and in accordance with legislation when dealing with post fire audits and concerns received outside normal working hours. It is not therefore deemed appropriate to cease the provision of cover.

- 3.5 Enhanced payments and allowances within the CFA fall into two categories. Firstly, those where 24 hour cover is provided such as the flexible duty allowance; and secondly those where additional skills or flexibility of normal working hours is required. The table below provides an overview of the other schemes which have formed the basis for analysing payment options for the new scheme:

Role/Department	Allowance	Requirement
Flexi Duty Officer	20% salary enhancement	Provide 24 hour operational and urgent managerial cover as per current rota.
Duty Mechanic	20% salary enhancement	Provide urgent breakdown cover for operational fleet as per current rota
Duty IT Technician	20% salary enhancement	Provide urgent IT systems cover as per current rota
Training Department	8.9% flexibility allowance	Enables weekend / evening working to accommodate retained training. Time committed is taken back at a mutually agreeable time.
Technical Rescue	8.9% additional responsibility allowance	Payment scheduled to cover additional skills resulting from the changes being made at Southern with effect from 1 st April 2015.

- 3.6 It is felt that the OOHC by Fire Inspection Officers is more closely aligned with the ICT and Workshops staff than Technical Rescue or Specialist Training. This is because officers are required to mobilise to incidents outside of normal working hours as opposed to providing flexibility in the times they work their standard hours or for additional skills.
- 3.7 The current schemes in other parts of the organisation were analysed but these were not felt to be entirely analogous. The ICT, Workshops and Flexible Duty Officer schemes provide cover on a 1 week in 4 or 5 weeks basis. Fire Inspection Officers will only provide cover on a 1 in 8 basis. Therefore, it was considered appropriate to reduce the allowance for Fire Inspection Officers to 10% rather than the 20% paid for the other schemes.

4. Report Implications / Impact

4.1 *Legal (including crime and disorder)*

OOHC assists the CFA in discharging its duties under the Regulatory Reform (Fire Safety) Order 2005.

4.2 *Financial (including value for money, benefits and efficiencies)*

The current budget allocation is £29,583. The recommendation made in this report increases the budget requirement to £33,428. This is an estimate based on the average employer contribution across the 1992 and 2015 Firefighters Pension Schemes. It may be slightly higher or lower depending on the number of people on each scheme.

4.3 *Risk (including corporate and operational, health and safety and any impact on the continuity of service delivery)*

Fire Protection Inspectors could withdraw support of the facility prior to any changes to contract but this is not anticipated.

4.4 *Staff, Service Users and Stakeholders (including the Equality Impact Assessment)*

An Equality Impact Assessment is attached at the **Appendix**.

4.5 *Environmental*

None

4.6 *Impact upon Our Plan Objectives*

None.

5. Recommendations

The CFA is asked to approve the following proposals:

- a) Contracting 8 Fire Inspection Officers to provide OOHC for a 10% payment.
- b) Issuing new contracts for those inspectors providing OOHC formalising the provision and clearly outlining the extent of the cover provided.
- c) Agree that all new staff undertaking the fire protection inspector role be placed on the revised contract.

6. Background Papers

None

7. Appendix

Equality Impact Assessment

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Appendix

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EQUALITY IMPACT ASSESSMENT

Section 1 – Initial Assessment		
Directorate:	Community Services	
Team:	Community Risk	
Responsible Person(s):	Andrew Brodie	
Name of Policy/function:	Fire Protection Group	
Date of Assessment:	20 March 2015	
Briefly Describe the aims, objectives and purpose of the policy/function:	Provision of out of hours response to incidents by fire inspecting officers in support of incident commanders	
Who will benefit from the policy:	Leicestershire Fire and Rescue Service	
What factors/forces could contribute/detract from the outcomes?	Future changes to the structure of the fire protection function and the numbers of Fire Inspection Officers	
Who are the main stakeholders in relation to the policy/function?	Fire Inspection Officers	
Who implements the policy and who is responsible for the policy/function?	Implementation: Head of Fire Safety Responsible: Head of Community Safety	
Are there any concerns that the policy could have an impact on:	Yes/No	Please justify your decision, say what evidence can be provided.
Race	No	There is no available information that would suggest that race or ethnicity would restrict anyone from undertaking work in out of hour's arrangements.
Gender	Yes	<p>Although child care in itself is not a protected characteristic as defined by the Equality Act 2010.</p> <ul style="list-style-type: none"> The Service acknowledges that women are more likely than men to carry the primary responsibility for looking after children. Three of the current 11 Fire Inspection Officers are women; two of these have chosen not to take part in out of hours provision. Anecdotal evidence suggests that women are less likely to undertake the out of hours provision.
Disability	Yes	<ul style="list-style-type: none"> There is potential that individuals with

		<p>disabilities would be unable to conduct out of hours provision which would include unsociable hours and night time driving.</p> <ul style="list-style-type: none"> The proportion of Fire Inspection Officers who work within the Green Book conditions of service is likely to increase over time in comparison to colleagues in Grey book conditions. This increase is likely to also increase the range of disabilities as well as the number of employees with disabilities. Statistical evidence suggests that LFRS had 16 of 739 operational employees declared a disability while 19 of 174 support staff declared having a disability
Sexual Orientation	No	There is no available information that would suggest that sexual orientation would restrict anyone from undertaking work in out of hour's arrangements.
Age	No	There is no available information that would suggest that age would restrict anyone from undertaking work in out of hour's arrangements.
Religious or Belief	Yes	Some religions would require people to commit to religious activity at specified times and this can be evenings or long periods of fasting and this may have an impact on an individual's ability to undertake out of hours work
Marriage and Civil Partnerships		There is no available information that would suggest that marriage or civil partnerships would restrict anyone from undertaking work in out of hour's arrangements.
Pregnancy and Maternity	Yes	See gender above
Trans-gender or transsexual	No	There is no available information that would suggest that undergoing a sex change would restrict anyone from undertaking work in out of hour's arrangements.
Offenders	N/A	
Are there any concerns for unfavourable treatment in this policy?	Yes	See Gender, Disability and Religion or belief
Should the policy proceed to:	Partial: <i>(if yes, proceed to section 2)</i>	Yes Full: No <i>(if yes, proceed to section 3)</i>

Section 2 – Partial Impact Assessment	
Please state clearly the expected benefits of the policy.	
In light of the issues identified, are there any experts/relevant groups who you can approach to explore their views on the issues. If so, please list <ul style="list-style-type: none"> o the relevant groups/experts o how there views will be obtained o date they will be contacted 	Equality and diversity advisor Meeting of 16/03/15
Please explain in detail the views of the relevant groups/experts on the issues involved. (please use a separate sheet if necessary)	Not suitable to make the provision of out of hours response a requirement for all Fire Inspection Officers. It should be a requirement for some to ensure the service delivery needs of the organisation are met.
Please clearly state what action has been taken, if the policy/function has not proceeded to a full impact assessment.	<ul style="list-style-type: none"> • Eight of the eleven officers will be contracted, leaving a 'buffer' of three for people who are unable to provide it. • Monitor the take up of the out of hours opportunities available
Section 3 – Full Impact Assessment	
a. Identify the aims of the policy and how it is to be implemented.	
b. Consideration of relevant data and research (see guidance notes for details).	
c. Assessment of impacts (see guidance notes for details).	
d. Consideration of measures .	
e. Formal consultation on the actual impact of existing policies and the likely impact of proposed policies.	
f. Make a decision in the light of data, possible alternatives and consultation.	
g. Monitoring for adverse impact in the future and publication of the results of such monitoring.	
h. Publication of results of the Equality Impact Assessments (see Appendix 1 & 2 – Pro-forma for initial and partial assessment)	

<p><u>Authorisation</u></p> <ul style="list-style-type: none"> ○ Name and position of officer authorising the EIA (this should be the head of service). 	
<p><u>Contacts</u></p> <ul style="list-style-type: none"> ○ Contact details of officer to discuss EIA with if different from section 1, above. 	
<p>Date Completed:</p>	