

**Status of Report: Public**

**Meeting: Combined Fire Authority**

**Date: 9 February 2022**

**Subject: Day Crewing Plus Update**

**Report by: Callum Faint – Chief Fire and Rescue Officer**

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**For: Information**

### **Purpose**

1. The purpose of this report is to update the Combined Fire Authority on the further activity undertaken regarding the withdrawal from the Day Crewing Plus (DCP) duty system and the preferred proposed option.

### **Recommendation**

2. The CFA is requested to
  - a) Note the work undertaken within the Shift Working Group to establish the move away from the Day Crewing Plus Duty system;
  - b) Approve the preferred option within Appendix B (attached to this report);
  - c) Authorise the Service to undertake consultation on the option contained within Appendix B for consideration and inclusion in the Integrated (Community) Risk Management Plan (IRMP) 2023/24 public consultation.

### **Executive Summary**

3. Day Crewing Plus (DCP) is a shift system that is operated in six fire stations within Leicestershire Fire and Rescue Service (LFRS). The DCP system sits outside of the nationally agreed systems and officers have not been able to agree a local collective agreement with representative bodies.
4. Due to these factors, if the Service does not move away from the DCP duty system, it is highly likely that it would be subject to a legal challenge by the Fire Brigades Union (FBU).
5. The Combined Fire Authority considered an exempt report on Day Crewing Plus at its meeting on 29 July 2020 and agreed that:
  - i. “the LFRS proposal to move away from the current DCP crewing system in preparedness for the next IRMP 2024 be approved”; and
  - ii. “that alternative options to replace the current DCP duty system, via an officer group working party of relevant stakeholder representatives, be developed.”

## Background

6. The matters surrounding the DCP arrangements are long standing and complex. This was discussed by the CFA (as an exempt report) at its meeting on 29 July 2020 where it was agreed that the Service would move away from the duty system.
7. Following the resolution of the Authority, officers have been able to agree a joint statement with the FBU. This is an incredibly positive step forward and shows a joint commitment to the approach. It has also seen the FBU agree to suspend its current trade dispute regarding this matter.
8. The Chief Fire and Rescue Officer had written to the Health and Safety Executive, informing them of the Authority's intentions and included a copy of the joint statement agreed with the FBU.
9. The Health and Safety Executive acknowledged the intention to move away from the duty system and has suspended any potential enforcement due to the agreed joint statement with the FBU.
10. In January 2021, the Service formed a Shift Working Group comprising of Officers and representatives from the Fire Brigades Union and the Fire Officers Association. The group established the terms of reference to ensure that staff and representative bodies were involved in the process and were able to contribute to any new future provision at an early stage.
11. The Shift Working Group's aim was to review all relevant data to understand the impact of moving away from DCP and with this data in mind, create a number of recommendations of what other systems or shifts could be put in place to ensure a suitable level of fire cover is maintained within the budgetary constraints of the Authority.
12. In September 2021, officers held a workshop with CFA members on the four recommended proposals put forward from the Shift Working Group. Of these options, all had an impact across the Service area in terms of 'weight of attack'.
13. Officers then held a series of pre-consultation events across the Service to discuss the recommended proposals, along with seeking alternative solutions from staff, considering the key principles of:
  - i. Must maintain the Service's 10-minute average attendance time to life risk incidents.
  - ii. Must be affordable and sustainable within the foreseeable budget available.
  - iii. Must be compliant with the Work Time Regulations or achievable through a collective agreement.

14. Unfortunately, the pre-consultation feedback from staff on the four proposed options was minimal, with a total of ten personnel responding to the dedicated email inbox.
15. In December 2021, Central Government gave permission, for those Fire and Rescue Authorities whose funding is within the bottom quartile, to increase Council Tax precepts by £5.00 for a Band D property.
16. This flexibility generates an additional £1.8m which could be re-invested into frontline and support services to maintain the current levels of response following the withdrawal of the DCP duty system.
17. In January 2022 the Shift Working Review Group reconvened to consider a revised proposal taking into account the additional funding. This preferred option was then presented to the Senior Management Team (SMT).
18. It is proposed that, subject to CFA approval, the preferred option will now be subject to full public consultation as part of the Integrated Risk Management Plan consultation process in 2023/24.
19. Following the conclusion of the public consultation and analysis of responses, a further report will be presented to the CFA to agree the appropriate option to move forward with, for introduction into the Service.

### **Report Implications/Impact**

20. Legal (including crime and disorder)

The current DCP duty system is very cost effective. However, it doesn't meet the Working Time Regulations and the FBU has stated that it will not sign a collective agreement; therefore, the Service is required to move away in line with the next IRMP or face a legal challenge.

21. Financial (including value for money, benefits and efficiencies)

In order to maintain the same levels of Service Delivery with a duty system that complies with the Working Time Regulations there is a significant increase in the operating costs. In December 2021, Central Government approved for the CFA to consider a Council Tax increase of £5.00 on a Band D property. This increase would generate additional income in the region of £1.8m. The financial cost of the preferred option is in the region of £1.7m.

22. Staff, Service Users and Stakeholders (including the Equality Impact Assessment)

Staff have been engaged with the process of moving away from DCP through the Shift Working Group and several pre-consultation events. Any proposed change will require formal public consultation which will also present staff, stakeholders and the community the opportunity of expressing their thoughts and suggestions.

### 23. Environmental

There are no environmental issues associated with this paper, however any changes within the Service (following IRMP consultation) may have an environmental impact that will need to be considered.

### 24. Impact upon “Our Plan” Objectives

Our plan and the 2020-24 IRMP specifically detail this piece of work: -

Aim 2 – We want to respond effectively to incidents, to do this we will  
*“Implement alternative crewing arrangements in the event of the Service moving away from the current Day Crewing Plus duty system”*

## **Appendix**

Appendix A – Current Response Model

Appendix B – Preferred Response Model

Appendix C – Summary of Changes

## **Background Papers**

Leicestershire Fire and Rescue Service, Our Plan 2020 – 2024,

<https://leics-fire.gov.uk/wp-content/uploads/2021/07/our-plan-2021-july.pdf>

Leicestershire Fire and Rescue Combined Fire Authority (CFA) meeting 2 December 2021

<https://leics-fire.gov.uk/wp-content/uploads/2021/11/item-9-day-crewing-plus-duty-system-update.pdf>

## **Officers to Contact**

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