

### Progress Against Home Office Report Recommendations

The following details considerations against each recommendation in the report:

1. *The Chief Fire Officer (CFO) is encouraged to share the contents of this report with the Chair of the FRA with the intention of providing support and justification for improvements to be made to the existing business continuity arrangements.*

Response - The Industrial Action Business Continuity Planning Review draft report pertinent to LFRS was presented to the Combined Fire Authority (CFA) at their meeting in December 2018. The CFA will be routinely updated on progress made against each recommendation. **Complete**

2. *The CFO and Authority are encouraged to explore the use and implementation of Resilience Contracts for firefighters and middle managers who may be prepared to work during periods of IA. Leicestershire FRS should seek a legal view on the conditions and use of such contracts. Other FRSs in England have introduced similar arrangements which have proven to improve the resilience of their IA BCP arrangements.*

Response - The use and effectiveness of Resilience Contracts was considered as was a number of options in relation for payment schemes for staff who work during periods of industrial action. It was decided in October 2018 not to offer a regular Resilience Contract payment as some other fire and rescue services do. This is due to these contracts not being enforceable despite additional payments being made in advance of any industrial action. Instead, an additional payment will be made to staff who provide cover on a set percentage of occasions during periods of industrial action. This payment will be over and above enhanced payments made to those staff who work outside their normal hours during periods of industrial action. In September 2019 the CFA approved document (Industrial Action – Operational Staff Pay Arrangements) that sets out these payment rates. **Complete**

3. *The senior management team should explore the potential of using reserve/auxiliary firefighters and combining this type of capability alongside the use of non-striking firefighters and the use of Resilience Contracts rather than have a single approach that may be adversely affected by a firefighter's right to strike.*

Response - This method has been considered before and it was deemed as ineffective and costly to maintain based upon the small additional benefit LFRS gained during the industrial action in 2013/14. **Complete**

- 4. Leicestershire FRS are encouraged to contact Nottinghamshire FRS to gain an understanding of the initiative Nottinghamshire FRS are developing with Nottinghamshire Police for the use of PCSOs as Contingency Operatives (Reserve firefighters) for periods of IA. This may have the potential to be developed into an East Midlands joint Fire and Police initiative.*

Response - Early conversations have taken place with Nottinghamshire FRS to explore the potential for this approach. The possibility of using PCSO's as On-Call firefighters was discussed with Leicestershire Police, however, there was no ability to use them in the areas needed to support operational availability of fire engines. The use of PCSOs as contingency operatives was considered and deemed as ineffective and costly to maintain with no guarantee of their availability when needed. **Complete**

- 5. The senior management team are encouraged to discuss with their middle managers alternative trade membership that maybe better suited to the views and interests of this management group. This intervention could result in the FRS securing further improvements to BCP levels of resilience.*

Response - Trade Union membership and the choice of Union is personal matter. Many of LFRS middle managers are members of the Fire Brigades Union and are likely to respond negatively if they perceive they are being coerced into leaving. LFRS are currently carrying out work to develop the culture between middle managers and senior managers and this may provide an opportunity to raise this matter diplomatically. However, following a local dispute from the Fire Brigades Union alleging that employees are being influenced by management to consider the benefits of other representative bodies, this is not a route that is likely to be considered in the near future. **Complete**

- 6. Leicestershire FRSs critical national resilience assets are dependent upon the nationally agreed RtW (2013) agreement. To assist these arrangements a refresh of this agreement is required and this should be undertaken prior to the FBU lodging a formal trade dispute with the employers. This refresh will be referred to and should be led by the Chair of the NFCC and negotiated with the FBU Executive Council. The content of the RtW agreement needs to be strengthened and aligned to the TUCs Code of Conduct for the provision of emergency services during periods of IA.*

Response - This recommendation is for a national agreement that sits outside the remit as an individual fire and rescue authority. However, LFRS will take part in any work that is asked of us. Discussions with the regional Fire Brigades Union secretary in December 2018 provided assurances that the Return to Work agreement would be initiated in the event of a Major Incident during periods of industrial action. Despite the intention to work locally to clarify how these arrangements can be put in place, no further work is expected in this area until the national review of the Return to Work agreement is complete. **Complete**

- 7. Leicestershire FRS are encouraged to take local action and in conjunction with Nottinghamshire, Derbyshire, Lincolnshire and Northamptonshire FRSs to strengthen the availability of the regionally hosted DIM capability during periods of IA.*

The DIM response vehicle is located in Leicestershire and would remain available for mobilisation. The equipment is operated by trained middle managers and it is believed that their availability will be maintained within our area. Early engagement through the Tri Service Response Board has commenced with our regional neighbours to determine their approach to provision of middle manager operatives. Maintaining the provision of operatives is subject to the different resilience arrangements within each fire and rescue service and will be constantly reviewed.

**Complete**

- 8. Mutual assistance arrangements during periods of IA have proven to work effectively during previous periods of IA. The senior management team are encouraged to maintain these arrangements and with their neighbouring FRSs identify how these arrangements can be further improved.*

These provisions were raised through the regional Strategy Board of the National Fire Chiefs Council to consider as it extends to National Resilience resources. The Fire and Rescue Service Act 2004 (Sections 13 and 16) makes provision for mutual arrangements, however, it is difficult to guarantee that sufficient resources will be available from neighbouring fire and rescues services during periods of industrial action due to fewer resources being available. The ability for LFRRS to supply resources in return is equally challenging and cannot be relied upon. **Complete**