



Our Ref: 2406/CF/JG
Your Ref:
Please ask for: CFO Callum Faint (Callum.Faint@leics-fire.gov.uk)
Date: 4 December 2023

PRIVATE AND CONFIDENTIAL

FAO All Members of the
Leicester, Leicestershire and Rutland
Combined Fire Authority

Dear CFA Member,

I have been made aware that Leicestershire's Fire Brigades Union has shared a letter with you regarding the Community Risk Management Plan (CRMP) consultation. In discussion with the Monitoring Officer, we felt it wise to share this with you along with my comments relating to its contents.

Traditionally this would have all been captured in the independent CRMP consultation report hosted by Leicestershire County Council and accompanying CFA paper however, the FBU response was not submitted within the consultation period nor through the consultation response route, it has come directly to you as CFA members.

I will address each point raised within the FBU's letter.

- *"Night Cover at Castle Donington Fire Station: We are troubled by the plan to facilitate night cover at Castle Donington Fire Station by moving personnel from other fire stations. This approach raises questions about resource allocation, reduction in night cover in Loughborough and will also cause wellbeing issues for on station personnel. There is no detail in how this will be facilitated, no details around how crew will be made up. This is a great concern."*

The History and journey here is crucial. The FBU raised their concerns with the legality of the Day Crewing Plus duty system with the Service following a court case ruling in South Yorkshire (Circa 2015). From this ruling it was deemed that the system could not continue unless there was a local collective agreement with the FBU. In 2019, Leicestershire's FBU were clear that they would not enter into a local collective agreement on this matter and as such the Service needed to work towards removing the system. The FBU signed a Joint Statement of Intent (Appendix 1) to this effect.

A joint working group was formed which included the Leicestershire FBU representatives. This group meet frequently and consistently over an 18-month period and produced a number of options of how this could be achieved in accordance with the Grey book conditions of Service and the FBU's considerations were accommodated at every stage. Once again, the outcomes of this were not only presented to FBU officials from Leicestershire FBU, but also regional and National FBU Officials. This outcome was agreed by these officials and accepted as being the best possible outcome given the parameters involved. As part of this a Self-Rostering Shift system was devised and introduced. This was only possible by way of a local collective agreement with the FBU (Appendix 2), this was locally negotiated with Leicestershire's FBU and signed by the Assistant General Secretary of the national FBU following extensive work with the FBU at all levels.

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The FBU understood the proposed change at Castle Donington were to be included in the CRMP consultation as it was a change in Service delivery. The delivery model for this has been communicated and is well known across the Service (moving of the existing Tactical Response Vehicle from Loughborough and new and additional vehicle, at Western at night). For this to be included in the CRMP response feels extremely disingenuous given the extensive negotiation, working groups and agreements that have led to this point.

In addition to this, as part of the proposal, other additional operational resources were put forward to be introduced, these additions appear to have been omitted within the FBU's letter. This included:

- a) A new and additional pumping appliance introduced at Loughborough, meaning night-time cover is not being reduced at night and actually increases during the daytime.
 - b) The additional TRV at Western. Again, means night cover is maintained but day cover increases—the times when almost all of our prevention and protection work is undertaken, and operational demand is at its highest.
- *“An Increase in Water Rescue Resources: The Fire Brigades Union has long argued that response to water-based incidents should be included within the responsibilities of a Firefighter, however this is not currently within the role of a Firefighter as no agreement with the Fire Brigades Union has been agreed for response to these incident types within the role map of a Firefighter. We are concerned about where the resources are coming from for the additional water resources that are proposed within the CRMP.”*

The “Fire and rescue national framework for England” places a duty on FRS's to:

Identify and Assess

2.1 Every fire and rescue authority must assess all foreseeable fire and rescue related risks that could affect their communities, whether they are local, cross-border, multiauthority and/or national in nature from fires to terrorist attacks. Regard must be had to Community Risk Registers produced by Local Resilience Forums and any other local risk analyses as appropriate.

2.2 Fire and rescue authorities must put in place arrangements to prevent and mitigate these risks, either through adjusting existing provision, effective collaboration and partnership working, or building new capability. Fire and rescue authorities should work through the Strategic Resilience Board where appropriate when determining what arrangements to put in place.

The Civil Contingencies Act 2004 (Statutory Legislation for FRS's) also requires the following:

Duty to assess, plan and advise

*(1) A person or body listed in **[F1] Part 1, 2 or 2A of Schedule 1** shall—*

(a) from time to time assess the risk of an emergency occurring,

(b) from time to time assess the risk of an emergency making it necessary or expedient for the person or body to perform any of his or its functions,

(c) maintain plans for the purpose of ensuring, so far as is reasonably practicable, that if an emergency occurs the person or body is able to continue to perform his or its functions,

(d) maintain plans for the purpose of ensuring that if an emergency occurs or is likely to occur the person or body is able to perform his or its functions so far as necessary or desirable for the purpose of—

(i) preventing the emergency,

(ii) reducing, controlling or mitigating its effects, or

(iii) taking other action in connection with it,

Given the topography of Leicester, Leicestershire and Rutland it is entirely foreseeable that water emergencies may occur and that as a result life may need saving, and in these instances safe systems of work need to be established ensure and protect the health, safety and welfare of responders.

The CRMP states that

“Climate change will see an increase in flooding, water rescue and wildfire incidents.”

The data and analysis behind this is contained in the CRMP analysis document ([item-7-appendix-a.pdf](#) [leics-fire.gov.uk](#)). But it is also fairly apparent to most that the likelihood of extreme weather incidents is increasing (both in terms of winter and summer events). Given this it is only correct that as a CFA and a Service we look to put in place and mitigate the effects of this in advance.

Currently Leicestershire Fire and Rescue Service already undertake water rescue capabilities and have done so for many years. All other Fire and Rescue Services have the same or similar capabilities for their communities. The provision is being increased in line with the analysis and increasing risks posed by climate change.

- *“Skilled Drivers: We note a lack of skilled drivers at the firefighter level service wide. This deficiency can hinder emergency response capabilities and impacts appliance’s ability to be on the run. We are aware of the services strategy to attempt to increase these numbers, however in the short-term, current drivers are missing out on not being part of Breathing Apparatus teams. This will result in skills fading, driver fatigue and decline in wellbeing.”*

It is agreed that the current number of qualified drivers within the Service is lower than our desirable numbers. The Service have several lines of work in place to look to resolve these shortfalls, including additional investment in the driver training functions. It should be noted that changes in the law regarding driver training has placed additional time burdens on the course durations and this is influencing capacity.

I disagree with the latter parts of the FBU’s assertion. Skills can and should be maintained by regular training and exercising of all the skills of a firefighter. The actual driving times within the Service are significantly lower than professional drivers (accepting that emergency driving is a challenging skill) so do not believe there is any evidence to support the statement regarding fatigue and wellbeing.

- *“Positive Industrial Relations – We note within the CRMP the intentions from the service to build positive Industrial Relations and the Fire Brigades Union welcome this approach. Positive industrial relations with recognised Trade Unions are paramount to progress for all affected stakeholders.”*

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I welcome and support this statement. My officers and I work tirelessly to deliver on this. Our efforts through the Day Crewing Plus exit are testament to this at a local, regional, and national level. It is then very demotivating and disingenuous for that approach and work to then be omitted and criticised in the CRMP response. An industrial relationship needs to be reflected on both sides and recent tactics and approach by the FBU have only damaged this and remove trust. My officers and I are looking to address this with local and regional representatives in the very near future, but this will need to be evident on both sides for this to be achievable.

“Issues not addressed in CRMP:”

The CRMP was constructed in line with the independent National Fire Standard and all relevant issues are contained within it along with the data analysis. The following comments do not sit within the CRMP and should be dealt with under the long running Staff Consultation Forum, where the FBU and indeed all other representative bodies can feed their concerns and observation into the Service. For fullness I will address the points raised.

- *There are several aspects not addressed in the CRMP, including the establishment profile for safe-to-command junior officers and emergency response drivers. We seek clarification on how these important matters will be handled and our own members be championed and developed accordingly.”*

Throughout the Day Crewing Plus duty system the Service met consistently and regularly with the FBU. As the working groups worked through the multiple options being considered each proposal has associated crewing requirements including the number of Firefighters, Crew and watch managers. This included costings for each model at all levels (see appendix 3 and 4). Once again, the omission of this information is somewhat frustrating for us and is contradictory to that of a positive industrial relationship.

Regarding the development of staff, the Service, with the support of the CFA have invested heavily into staff development over the past three years, with multiple routes for staff to develop both in role and for progression through the Service now being available, delivered and promoted.

I find it disappointing that FBU raise these areas when there are clear, evident and varied offerings across the Service available for all staff to develop and am left unsure of the intent and validity of the statements.

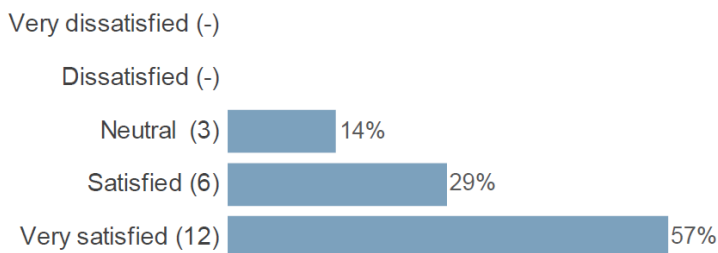
- *“Self-Rostering Shift Systems: The introduction of self-rostering shift systems raises concerns about potential shortfalls and their impact on primary carers. We urge a comprehensive assessment of the impact of such shift systems on the well-being of firefighters and the service's overall effectiveness.”*

As part of the local collective agreement with the FBU regarding this shift system, we undertook to conduct a review. Whilst not yet published the feedback from staff directly working the system does not meet with the FBU's assertions in their letter.

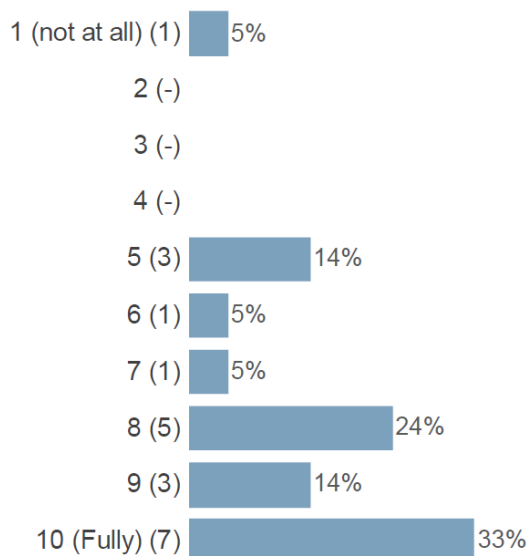
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Below is an extract from the staff survey of the staff working the shift system:

Taking everything into account, how satisfied are you with the new self rostering system?



To what extent do you agree... (1= not at all, 10 = fully) (...it is easier to plan personal activities or family commitments due to self rostering)



There are also several comments relating to the positivity of the shift system for childcare and work/life balance, not shared on here as they may be deemed as identifiable data.

- “Service Inefficiencies and Direct Entry at Station Manager level: The exclusion of Direct Entry in the CRMP raises concerns about safety and cost. Inexperienced individuals commanding complex incidents may compromise firefighter and public safety. We urge a re-evaluation of this decision. Further to this, currently, LFRS have 2 Senior Managers who provide no cover at Strategic Level and with Direct Entry 2 Station Managers who will provide no operational cover for 3 years of their training period. The inefficiency in this process rather than promoting from within the rank and file appears to be a waste of taxpayers' money that could be used elsewhere.”*

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The Direct Entry scheme has allowed the Service to appoint new leaders into the Service, with a rich and varied background, adding different managerial and leadership skills and experiences into the Service. This also brings the added ability to potentially recruit diversity into the Service at a level not previously open to many and is very much seen as a positive addition to diversifying the Service in both protected characteristics terms and diversity of thought/experience. It should be noted that the direct entry scheme was open to existing members of the Service as well as external candidates. The candidates appointed are part of a cohort that will be trained and exposed to all the correct skills, courses, and incidents, at the right time and with the correct supervision. They will not take charge of incidents without being assessed at the same level of competence as any other manager within the Service.

I would also add that the direct entry scheme has enabled us to effectively bring two additional (super nummary) leaders into the Service to alleviate workloads on officers for their development period, addressing a concern that has been previously raised by the FBU to the Service.

Regarding the Strategic Leadership Team (SLT) make up, the facts presented by the FBU are not entirely correct. SLT agreed establishment has always has two non-operational members this continues to be the case. However, one of the currently non-operational members in fact is qualified to Multi-Agency Gold Incident Command (MAGIC or strategic Coordinating Group) level and is working towards full command skills, meaning our capabilities and resilience at strategic levels have improved.

- *“Wildfires and Flooding Incidents: The plan does not adequately address the challenges facing firefighters during increasing wildfires and flooding incidents, including prolonged exposure to harsh conditions without the correct resources and PPE.”*

This point seems to directly conflict with the second point raised by the FBU in their letter.

This is addressed through the CRMP Data analysis document. It also leads into the FBU's next point regarding Variable Response Vehicles (VRV's). These vehicles bring many operational benefits and additions to our capabilities for extreme weather events such as water misting systems (very effective for rural and wildfires), off road capabilities to minimise physical impact on firefighter transporting equipment, higher ground clearance and 4x4 for flood/ice/snow/mud and un-made road surface conditions.

- *“Crewing Levels: We are concerned about the potential reduction of crewing levels on new Variable Response Vehicles (VRVs) and its impact on firefighter safety and operational effectiveness. We don't want the vehicles' ability to be crewed with just 2 people, down from the usual 4, or the ideal number of 5 to become the norm.”*

Variable Response Vehicles (VRV's) employ the same crewing models as the existing TRV's, this model was agreed by the FBU. This system has been running for 7 years and proven to be both safe and successful over that time.

- *“Moving Resources to cover short falls in 'on-call' cover – Not mentioned within the document is the frequent covering of essential station areas, not limited to but most frequently Market Harborough, by 'City' resources. We urge the service to look at improvement of recruitment and retention of our On-Call Stations and urge caution at the continued approach of taking resources from the city to cover these short falls.”*

The moving of operational assets is both common place and necessary within emergency services. The priority must always be public safety and ensuring the best possible operational response. We are keen to achieve this through on-call crews when at all possible, this is a well-known, documented and national challenge to achieve, where we are unable to, we take other measures (such as introduction of VRV's to maximise availability). This commonly involves moving appliances to locations with lower fire cover, this is

done for large operational incidents and for availability reasons. Whilst assets are based at stations, they are always deployable to any location so are not seen as a "city" or fixed location asset.

- *Response Times: The increase in response times to life risk incidents from 10 to 12 minutes is worrisome. The 10-minute attendance at life risk at Primary Building fires and an increase to 12-minutes at all other life risk incidents, does this not a different priority on different incident types where lives are at risk?*

I would suggest this comment should be regarded within the CRMP section as it does directly relate to the consultation point. The rationale and analysis of this point is contained within the CRMP consultation and documentation.

As a Service we will continue to work to reduce the attendance times to all incidents, to do this we will need to move resources, utilise TRV's and a number of other tactics to do so, most of which the FBU appear to be resistant to in this letter.

"In summary, a lot of these issues can be resolved with an increase in funding to the service from local sources and central government. It is evident the brutal impacts that cuts are having on all public services up and down the country and is truly apparent within the fire service. Not only are these cuts impacting our previous workload but they have also increased workloads coming in from partner agencies such as the Police and East Midlands Ambulance Service. A lot of time and resources are spent assisting those agencies at incidents. We urge our Chief Fire Officer and the CFA to lobby for adequate funding for the Fire Sector which will only bring positive outcomes to the communities we protect and serve."

I do not disagree with the spirit of this summary but would like to add some context and perspective. My officers and I have a large amount of pride for the Service. We have worked extremely hard, with the full support of the CFA, and secured increased funding for the CFA through precept increases for the past two full financial years and work continues once again to secure better funding for the next financial year.

We have been able to make improvements across the Service with this increased funding. However, this has been limited. Approx. 60% of the new funding had to be used to fund the exit from the Day Crewing Plus duty system (broadly speaking, keeping the same level of Service). Had a local collective agreement been possible with the FBU we would have been able to invest over £2 million per year back into the Service for improved and additional Prevention, Protection and Response resources. Sadly, without the FBU's support this was not possible.

Appendix 1 – Joint statement of intent

Appendix 2 – Local collective agreement, 12-hour self-rostering

Appendix 3 – DCP briefing pack – shift options

Appendix 4 – Day Crewing Plus Briefing Pack (including staff level breakdowns for each option)

Yours sincerely



Callum Faint
Chief Fire and Rescue Officer

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