

Status of Report: Public

Meeting: Combined Fire Authority

Date: 16 December 2020

Subject: Whole-time Recruitment – Urgent Action taken by the Chief Fire and Rescue Officer

Report by: The Chief Fire and Rescue Officer

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For: Decision

Purpose

1. The purpose of this report is to advise the Combined Fire Authority of urgent action taken by the Chief Fire and Rescue Officer, following consultation with the Chair and Vice Chair, to commence whole-time recruitment on the earlier date of 25 November 2020 due to the impact of the Covid-19 pandemic and related social distancing restrictions and to update the Authority on action required to recruit firefighters to meet the needs of the Leicestershire Fire and Rescue Service (LFRS) up to 2021/22.

Recommendation

2. It is recommended that the Combined Fire Authority
 - a. Notes the urgent action taken by the Chief Fire and Rescue Officer to commence whole-time recruitment on the earlier date of 25 November 2020 due to the impact of the Covid-19 pandemic and related social distancing restrictions; and
 - b. endorses the suggested approach to the recruitment of firefighters, set out in the Firefighter Recruitment Plan for 2020/21 attached to the appendix to the report.

Executive Summary

3. Following the impact of the Covid-19 pandemic, the subsequent national lockdown and local restrictions, urgent action has been taken by the Chief Fire and Rescue Officer, in consultation with the Chair and Vice Chair, to commence recruitment for whole-time firefighters on the earlier date of 25 November to enable the appointment of new recruits from May 2021 as planned in the Recruitment Plan (attached as the Appendix to this report).

Background

4. The Fire and Rescue Service Act 2004 is the primary legislation that drives Fire and Rescue Services. Within the Act there are specific elements that direct the Combined Authority with regard to recruitment, these being: -

Fire and Rescue Services Act 2004 Part 2, Section 7, paragraph 1 and 2.

“(1) A fire and rescue authority must make provision for the purpose of—

(a)extinguishing fires in its area, and

(b)protecting life and property in the event of fires in its area.

(2) In making provision under subsection (1) a fire and rescue authority must in particular—

(a)secure the provision of the personnel, services and equipment necessary efficiently to meet all normal requirements;

(b)secure the provision of training for personnel;

5. The establishment (or staff numbers) of the Service is under constant review by the Workforce Planning Group, which looks at all roles within the service. However, this report focuses on the operational element of the workforce.
6. The Workforce Planning Group had already highlighted the need to recruit whole-time firefighters in 2021.
7. In the Leicestershire Fire and Rescue Service, the current agreed establishment for whole-time operational posts is 348 and is distributed across the Service to meet organisational needs.
8. As of 31 October 2020, the actual establishment is 350.5, with a further 3 retirements predicted up to 31 March 2020 (see Figure1 below)

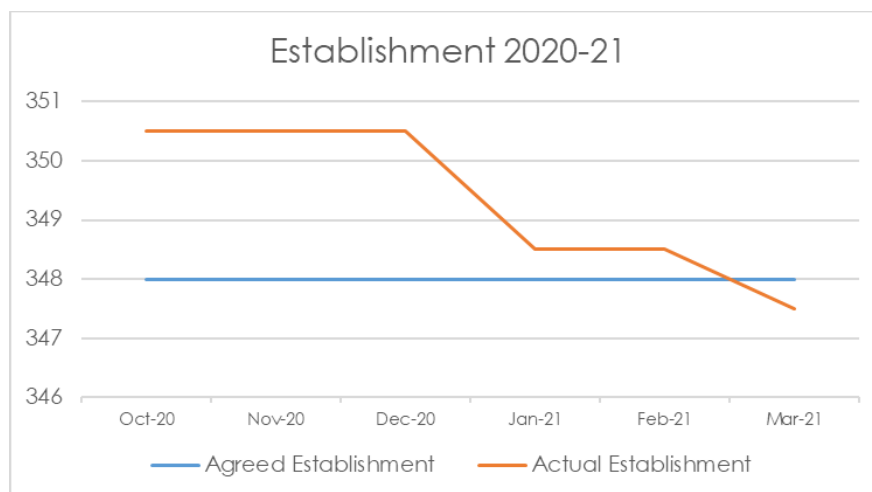


Figure1

9. Included within the current establishment numbers are four individuals who have completed 30 years and are over 50 years of age who can retire. If they do choose to retire, this will see the establishment drop to 344.5 by March 2021, 3.5 posts under establishment.
10. It is also worth noting that these numbers are predicted as there is no certainty as to when individuals may choose to retire or leave the Service. Across the country, most Fire and Rescue Services are experiencing this issue and are looking to recruit either whole-time firefighters and/or experienced managers. This has the potential to add additional pressure to these figures, this is why the recruitment numbers are variable.
11. In addition to the issues already identified, in July 2020, the Government published a consultation with proposals for a “remedy” to the legal challenge raised by the Fire Brigades Union (FBU) at a national level (McCloud/Sergent case) regarding the mandatory movement of individuals from one scheme to another based on age alone. These proposals included an option of effectively allowing pension scheme members to choose which scheme would leave them better off for the period from 1 April 2015 until 31 March 2022, which is a potential return to the 1992 scheme.
12. The consultation closed at the end of October 2020 and whilst these are proposals at this stage rather than a final agreed position, if approved and implemented it would see staff migrate to a new pension scheme from 1 April 2022 due to the pension impacts. This has the potential to see up to an additional 47 members of staff exit the service under the ‘75’ rule (anyone who is aged 50 or above with over 25 years’ service) on 31 March 2022 and expose the service to an increased establishment deficit.
13. In recognition of this risk, in February 2020 the Senior Management Team approved a blended recruitment plan (described in paragraph 15) which planned to commence a recruitment campaign for whole-time firefighters in January/February 2021 with the aim of appointing staff in May 2021. However, due to the Covid-19 restrictions, this has been brought forward to commence on 25 November 2020.

Recruitment Campaign

14. Learning from previous experience, the Senior Management Team proposed running a blended recruitment campaign (described in paragraph 15). This would result in the appointment of between 18 - 25 individuals which will include transferees, On-Call migration and new starters. It was proposed to start the campaign in January/February 2021, however due to Covid-19 restrictions this has been brought forward to commence on 25 November 2020.
15. A blended recruitment approach to sourcing candidates will provide a mixture of new staff and potentially some with experience. It may also reduce the burden on the Learning and Development Department to train numbers of new recruits and satisfy immediate operational requirements and include:

- i. Whole time full recruitment process.
 - ii. Recruitment via transfers from other services - this provides a short lead time to having fully competent Fire Fighters placed in roles without delay to meet the needs of front-line service delivery. This process is already mirrored for operational managerial positions, as it widens the diversity of the applicant pool and allows experienced managers to enter the service).
 - iii. Recruitment via migration from the on-call workforce. Again, a much shorter lead time to have fully competent fire fighters placed in roles without delay to meet the needs of front-line service delivery.
16. To further mitigate the risks associated with the potential staff projection, a plan is being put together to keep in touch with all candidates who are deemed appointable but not included in the 2021 intake. They will be asked if their information can be retained on file and at agreed points over 2021 as vacancies arise, these future potential recruits will be contacted, enabling potential efficiencies to be made in the next round of recruitment.
17. In clear recognition of the need to improve workforce diversity, and building on previous success, the Service has undertaken positive action and targeted "have a go events" since 20 September 2020. Four specifically targeted physical socially distanced events have been delivered., supported with six further virtual events, resulting in interaction with the following numbers of underrepresented groups:
 - i. Physical event at Central fire station - 15 female candidates
 - ii. Physical event at Loughborough fire station – 19 underrepresented and minority candidates
 - iii. Physical event at Eastern fire station – 16 underrepresented and minority candidates.
 - iv. Physical event at Central fire station – 12 BAME candidates.
 - v. Online events – 240 candidates attended.
 - vi. four physical events had to be cancelled, two of which were for underrepresented groups (LGBT+ and BAME) and two others for everyone. These events were fully booked.
18. For the 2019 recruitment campaign the Strategic Equality Diversity Inclusion Board (SEDIB) recommended some amendments to the recruitment process to ensure that the process was as fair and open as possible enabling the best possible opportunity to recruit a diverse workforce from the community. These were:
 - i. Applicants must have Leicester, Leicestershire or Rutland permanent address.
 - ii. The requirement for applicants to have a driving licence at the point of application was removed, however there is a requirement for a licence to be obtained within 18 months of joining the service.
 - iii. The requirement for a 'C' grade or above in Maths and English GCSEs was altered. Those who didn't have the qualifications were

provided with the opportunity by the Service to take a test at an equivalent level.

19. The recommendations in 18(i) and 18(ii) remain in the 2020 process as they create a positive environment to attract a diverse range of applicants from the community.
20. Recommendation 18(iii) is being altered slightly following more investigation work from the recruitment team. This will now see all candidates undertake an online assessment that ensures Maths, English and practical understanding relevant to the requirements of the firefighter's role. All reasonable adjustments are in place to accommodate individual circumstances. Again, this change has been made to further improve the diversity of applicants whilst not compromising on the requirements of the role and will be fairly applied across all candidates.
21. The Recruitment Plan timeline is attached to the Appendix to this report.

Impact of COVID-19

22. Covid-19 has impacted on numerous areas of the Service since it became prevalent in the UK in February 2020.
23. The Senior Management Team has managed the Service through the multiple impacts and have maintained a high level of delivery across the Service, and this has included recruitment.
24. As the UK moved to the three-tier system and the associated restrictions it became clear that more time would need to be built into the recruitment timeline to ensure that all aspects of the recruitment campaign could be delivered in line with social distancing restrictions. In essence this means that more selection events, probably treble the usual number, are needed at each stage of the process to assess the same number of candidates, requiring more time and placing additional resource burdens on to the Service.
25. This was compounded further when the Government announced the second national lockdown between 5 November to 2 December 2020. It is reasonably foreseeable that post this lockdown period, restrictions will remain in place. Of course, there is also the festive period and bank holidays during this time, which extends the timeline further.
26. With this in mind, it was necessary for the Chief Fire and Rescue Officer to take urgent action in order to extend the recruitment process timeline to commence earlier (25 November 2020) which is prior to the next scheduled meeting of the CFA on 16 December 2020. The Chief Fire and Rescue Officer consulted the Chair and Vice Chair of the Combined Fire Authority on 2 November and they have approved the request to take urgent action.

27. This request builds in extra time to the recruitment process to ensure all elements can be completed in a Covid-compliant way, but still with the same end point of new recruits beginning employment in May 2021, to meet the recruitment needs already identified.
28. The request made was in accordance with the Leicester, Leicestershire and Rutland Combined Fire Authority Constitution (section 35.1 and 35.2, shown below), and was approved by both the Chairman and Vice chairman.

'35.1 The Chief Fire and Rescue Officer, or in his absence the Assistant Chief Fire and Rescue Officer be authorised to take any action between meetings which he considers to be urgent in consultation with the Chair and Vice Chair (or their nominated representatives) subject to the details of such action being reported for information to the next meeting of the CFA.'

Report Implications/Impact

29. Legal (including crime and disorder)

The Fire and Rescue Service Act 2004, Part 2, section 7, paragraphs 1 and 2, places a requirement on Fire Authorities to make suitable provision for Fire and Rescue Services, including staffing and training of staff to respond to emergency incidents.

The Equality Act 2010 generally prohibits positive discrimination i.e., treating a person with a 'protected characteristic' more favourably than people who do not share that characteristic (unless it is an occupational requirement or the protected characteristic is disability).

The Act does however permit "positive action" in recruitment and promotion to overcome or minimise disadvantages that the employer reasonably believes are faced by persons with a protected characteristic but this is subject to certain conditions being met to avoid any such favourable treatment from constituting unlawful positive discrimination.

30. Financial (including value for money, benefits and efficiency)

Prior to the second national lockdown additional equipment had been purchased to allow 'Have a go days' to carry on during Covid-19 conditions. It is predicted that there will be an increase in applications (as seen in neighbouring fire and rescue services). This has the potential to impact on resources need for sifting and assessing, hence the request for urgent action to be taken between meetings and extend the timeline. This will create increased financial costs (extra equipment, extra assessment schedules, increased staffing), however as the impact is caused by Covid Government grant funding will be used to meet these costs.

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

Not having enough and sufficiently skilled operational resources at the right time could impact on the delivery of services and the Integrated Risk Management Plan improvement projects.

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

- i. Open and transparent promotions and recruitment processes are taking place with plans that will be publicised.
- ii. Equality Impact Assessments have been completed in the separate stages of recruitment and any issues identified were addressed.
- iii. 'Have a Go' days to promote positive action from under-represented groups took place and will continue to be used to promote diversity from candidate pools, alongside other community activity outlined through groups aligned to the Strategic and Tactical Equality Diversity and Inclusion Boards (SEDIB/TEDIB).

33. Environmental

There are no environmental implications identified within this report.

34. Impact upon Our Plan Objective

The recruitment of staff across the service is key to us delivering the highest levels of response. By recruiting high quality, talented and motivated staff we will not only meet the operational requirements but also improve prevention, protection and engagement with the community. This is covered in Our plan and specifically contributes to Response and people elements.

Background Papers

Leicester, Leicestershire and Rutland Combined Fire Authorities Constitution
<https://leics-fire.gov.uk/wp-content/uploads/2019/10/cfa-constitution.pdf>

Fire and Rescue Services Act 2004
<https://www.legislation.gov.uk/ukpga/2004/21/contents>

Appendices

Appendix – Recruitment plan

Officers to Contact

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