

Appendix B – Recommendations and Progress reported to the CFA in December 2018

Recommendation 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 draft paper can be found in Appendix 1 (of the CFA December report).

Recommendation 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.*

Initial Response: The Senior Management Team has previously considered a paper about this matter. It included options for payment schemes for staff at all levels up to Area Manager who worked during periods of industrial action. SMT decided to not offer a regular Resilience Contract payment as some other services do. This is due to these contracts not being enforceable but the additional salary would be paid in advance of any industrial action. Instead, an additional payment will be made to staff who provide cover on a set percentage of occasions it is needed. This payment will be over and above enhanced payments made to those staff who work outside their normal hours during periods of industrial action.

Recommendation 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.*

Initial 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.

Recommendation 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.*

Initial response: Early conversations have taken place with Nottinghamshire FRS to explore the potential for this approach. Agreement would also be needed with Leicestershire Police. We are already exploring the potential for dual-role firefighter/PCSO and this could play into this approach.

Recommendation 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.*

Initial response: Trade Union membership and the choice of Union is personal matter. Many of our middle managers are members of the Fire Brigades Union and are likely to respond negatively if they perceive they are being coerced into leaving. We 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.

Recommendation 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.*

Initial response: This recommendation is for a national agreement that sits outside our remit as an individual service. However, we will take part in any work that is asked of us. It's worth noting that we recently met the regional Fire Brigades Union secretary who provided assurances that the Return to Work agreement would be initiated in the event of a Major Incident during periods of industrial action. We will work locally to clarify how these arrangements can be put in place.

Recommendation 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.*

Initial response: The DIM response vehicle is located in Leicestershire and would remain available for mobilisation. The equipment is operated by trained middle managers and we believe we would be able to maintain their availability within our area. Discussions will take place with our regional neighbours to determine their approach to provision of middle manager operatives.

Recommendation 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.*

Initial Response: These provisions worked effectively during the last period of Industrial Action. We will raise this recommendation through the regional Strategy Board of the National Fire Chiefs Council to consider if further assurances can be provided.