

**Status of Report: Public**

**Meeting: Combined Fire Authority**

**Date: 16 December 2020**

**Subject: Day Crewing Plus Duty System**

**Report by: The Chief Fire and Rescue Officer**

**Author: Callum Faint, Chief Fire and Rescue Officer**

**For: Information only**

### **Purpose**

1. The purpose of this report is to update the Combined Fire Authority on the progress made regarding the identification of an alternative duty system following the decision taken at its meeting on 29 July 2020 to move away from the current DCP system in preparedness for the next IRMP 2024.

### **Recommendation**

2. It is recommended that the CFA notes the update provided on the progress made to identify an alternative duty system following the decision taken at its meeting on 29 July 2020 to move away from the Day Crewing Plus (DCP) system in preparedness for the next IRMP 2024.

### **Executive Summary**

3. Day Crewing Plus is a shift system that is operated on six fire stations within Leicestershire Fire and Rescue Service. DCP system sits outside of the nationally agreed systems and officers have not been able to agree a local collective agreement with representative bodies. Due to these factors there is a possibility that DCP, if not removed, may be subject to a legal challenge.
4. The Combined Fire Authority considered an exempt report on Day Crewing Plus at its meeting on 29 July 2020 and agreed that:
  - a) “the LFRS proposal to move away from the current DCP crewing system in preparedness for the next IRMP 2024 be approved; and”
  - b) “that alternative options to replace the current DCP duty system, via an officer group working party of relevant stakeholder representatives, be developed.”
5. Following this resolution, officers began work on forming the joint working group which includes officers, Fire Brigades Union and the Fire Officers Association, and developing the Terms of Reference for this.

6. The Fire Brigades Union (FBU) has agreed a joint statement with the Service which has been published and presented to the CFA at its meeting on 23 September 2020. This demonstrates their support for the way forward and also agrees to suspend their current trade dispute regarding the matter.
7. The joint statement has been shared with the Health and Safety Executive as an agreed way forward. It is envisaged that the joint statement would substantially reduce the likelihood of enforcement action from them.

The first meeting of the joint working group on 16 October 2020 had to be postponed due to direct impact of Covid-19. This was rescheduled for the 27 November 2020. Terms of Reference were broadly agreed and are in the process of being finalised with the working group first meeting in late January 2021.

## **Background**

8. 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.
9. 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.
10. The Chief Fire and Rescue Officer wrote 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.
11. To date no reply has been received from the Health and Safety Executive however, it is envisaged that the joint statement would substantially reduce the likelihood of enforcement action from them.
12. Officers are now beginning work to establish the joint working group with representative bodies. This will ensure that staff and representative bodies are involved in the process and able to make recommendations for any new future provision.
13. Terms of Reference for this group are currently being drafted with a view to them being agreed by the Joint Working Group in late January 2021.
14. A number of communications have been delivered across the Service using different forms of interaction to those who work on the DCP shift system, notifying them of the timescales and intentions.

## Report Implications/Impact

### 15. Legal (including crime and disorder)

The issues in relation to the DCP system have been covered in earlier reports and are not therefore repeated here. The position outlined in this report represents significant progress and reduces the risk of challenge and enforcement.

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

There is no financial risk arising from this report. However, the change to the DCP duty system will have financial implications for all 74 staff currently undertaking the duty system. In addition, any agreed alternative may place pressure on the current budget which remains both vulnerable from the impacts of Covid-19 and the single year provision from Government.

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

There is no risk arising from this report. However, the risk that the FBU would take a civil action against the authority if DCP was maintained in its current format has been removed following the CFA's decision at its meeting on 29 July 2020 to move away from the current DCP system. The risk remains that changing the duty system without a detailed understanding of the probable impacts may place communities within Leicester, Leicestershire and Rutland at increased risk and therefore they will need to be consulted prior to implementation.

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

There is no staff risk arising from this report. However, any proposed change will need to be consulted upon with staff as there will be a need to change contracts of employment. The decision to move away from DCP in preparedness for the next IRMP 2024, does allow those staff undertaking DCP some certainty over the next few years allowing them to consider future implications.

### 19. Environmental

There are no environmental implications arising from this report.

### 20. Impact upon Our Plan Objectives

There is no impact arising from this report. However, changes to the duty system may have implications to the fire cover provisions and will need to be subject to future public consultation. Due to the nature of any future proposals it is not yet possible to define the long-term implications.

## **Background Papers**

CFA meeting 23 September 2020 Agenda item 9 – Day Crewing Plus Duty System  
<https://leics-fire.gov.uk/wp-content/uploads/2020/09/item-9-dcp-update-final.pdf>

## **Officer to Contact**

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