

Lancashire  
Combined Fire Authority



## Integrated Risk Management Plan 2004/05

*Project No. 10*  
Review of the Flexible Duty  
System

August 2004

## **EXECUTIVE SUMMARY**

### **Introduction**

Of the five duty systems specified in the new Grey Book (6<sup>th</sup> edition 2004), this report considers only the Flexible duty systems (FDS). The terms of reference and the parameters within which the review has been carried out are clarified at the outset. In broad terms the Grey Book makes reference to any proposals being consistent with the IRMP. The LCFA IRMP requires flexible working practices, improved efficiency and to make officers more available at times when required by the local community, which for the greater part is normal office hours Monday – Friday. All of which needs to have regard for employees work/life balance.

The review provides a number of workable options for consideration, which are yet subject to consultation.

### **Reasons for change**

In respect of the FDS it has long been recognised that mid-week absences create problems. Managerial efficiency is impaired as officers are frequently unavailable to liaise with partners, and although some officers prefer the ‘quiet’ atmosphere of weekend working, the benefit of this is outweighed by their unavailability during the weeks prior to and following the duty weekend. Also on some occasions there are in excess of 40 officers providing operational cover, yet at other times there may be the minimum of 12, or even less. The existing formula for calculating the FDS is shown in detail and what is immediately obvious is that the current system is generous in terms of standby duty at the expense of managerial hours, which accounts for the frequent over provision of officers providing cover.

### **Family Friendly working**

The review considers the commitment to ‘family friendly’ working and the need for employees to maintain a work/life balance. It’s emerged that there is confusion surrounding these phrases. There is need for LFRS to develop a policy in relation to family friendly working, which states clearly how and under what circumstances the provisions will be applied. Rights are laid down in statute, but when compared to the expectation of some staff, these rights are fairly rigid. There is a need to determine how far and under what circumstances employees will be permitted to change their conditions of employment.

### **Working Time Legislation**

Working Time legislation has been examined, which is a new and dynamic area of law that limit the amount of hours an employee may work over a specified period and set out a range of other requirements. In consideration of the recommendations made in respect of the duty systems, it’s felt unlikely under normal circumstances that the Working Time Regulations (WTR) will have a great impact. There are other factors to consider, however these are outside the scope of this review.

One issue included in the WTR is the need to keep adequate records. Although there is no requirement to keep separate records where there are already systems in place, there are some

aspects of working hours that are currently not recorded in LFRS and of those which are recorded, to interrogate our systems would prove difficult. Aligning the legislative need to keep adequate records with the desire to provide a flexible working arrangement has led the review team to recommend the introduction of a system of recording hours worked. The favoured option would be to extend the County Hall 'swipe' system to all LFRS workplaces. The cost of this would be £100k. An introduction phased over 5 years is suggested.

### **LFRS Officer Provision**

At the Project Initiation stage, an assumption was made that the minimum officer cover would remain at 12 (excluding PO's). It soon became apparent that there is no objective foundation to this figure. A sub group of the Operational Task Group (OTG) have considered the operation of the Incident Command System (ICS) and in doing so concluded that the current officer cover arrangements are adequate to meet 'normal' needs as is required by statute. The foundation for this conclusion is considered to be flawed and although there is evidence to suggest a figure of 8 FDO's would be adequate, the review recommends 10 as more an appropriate number in the short-term.

When assessing the number of FDO's required the two aspects to consider are the day to day managerial requirements and the operational management of incidents. Although a detailed study is outside the scope of the review, the opportunity exists to improve operational efficiency in terms of operational cover arrangements. It is now timely to review the role of the manager separate to their operational command function. Recommendations are made only with the operational command function in mind.

To establish the number of officers required to meet normal operational needs, the benchmark is the operation of the ICS in accordance with National Occupational Standards (NOS) and the Development Module Database (DMD). To do this effectively the Service must move completely from the hierarchical rank system to the role structure. In doing so, what can be seen is that relation to incident management, there are essentially three 'bands' of role.

- i) Crew & Watch manager
- ii) Station & Group manager and
- iii) Area & Brigade manager.

A detailed study of the ICS is outside the scope of the review. However, fundamental to the number of FDO's required is that officers in band i) should be competent to operate as sector commanders. This may require a review of the training given to managers at all levels in respect of their role as incident managers. The effect of this would be to achieve a greater utilisation of all officers in their role as managers on the incident ground, which for many incidents will reduce the number of FDO's required. Evidence is provided to support this, leading to a recommendation that the number of officers required to meet normal requirements should be amended.

Although it has been recognised that a shortfall in officer provision is a rare occurrence, it is acknowledged that by re-aligning officer provision to 10 will increase the probability of this happening. Fallback arrangements recommended are a combination of 'Recall to duty' and the formation of a contract with our regional partner brigades to utilise officers across traditional brigade boundaries. Current arrangements for recalling officers to duty are ad hoc

and therefore not adequate as a fallback system. The draft Fire and Rescue Service Bill includes provisions for combining services and it is felt that the 'cross-border' use of officers should be developed as this will be a natural progression for the service both regionally and nationally.

### **Options for the FDS**

The following Flexible Duty Systems are discussed.

1. Amend the existing duty system. This does not meet IRMP **and is therefore rejected**.

2. Introduce a x5 week rota for existing StnO's & ADO's (Station and Group Managers)  
**Recommended from 2005**

This option provides:

- Flexibly worked 40- 42 hours per week managerial hours
- For 4 out of 5 weeks, officers will provide x1 night per week operational cover
- 1:5 weekend working
- 5 officer groups
- Local management of officers
- Officers able to be flexible in taking rota days
- A shortfall in standby hours of 20 shifts per year may be used to cover absences
- A payment formula for recall if necessary.

3. Introduce a x6 week rota for SDO's and DO's (Area Managers)  
**Recommended from 2005**

This option provides:

- 2 officers on duty at all times (officers working in pairs) or 1 officer if required
- Utilisation of 12 officers
- Approximately 2 nights per week cover
- 1:6 weekend working
- Rota aligns with regional partner brigade
- A payment formula for recall if necessary

4. Introduce a flexi-time rota – **Recommended in the longer term (3 – 5 years)**

This is effectively an annualised hours system; i.e. officers are required to work a set number of hours, including a set number of weekends, per year.

- The traditional group structure will be abolished in favour of a flexible system involving all officers.
- A nominal number of officers would be required to provide operational cover.
- Hours worked will be in accordance with the flexible duty formula, which depending on the model selected would be between 38 – 42 hours per week managerial and 24 – 40 hours per week standby. Calculations are provided to show this is by far the most efficient use of officers and if introduced, would generate savings for redistribution.

- The downside may be seen as this being a radical option that to date does not appear to be used in any UK fire service. Robust management arrangements would need to be included, which could mean employing a person specifically to manage logistics.
- Officers may feel insecure as compared to existing arrangements long-term planning could be more problematic.
- Within certain parameters, officers could arrange their working life to suit professional and personal commitments, e.g. retained support, personal evening and/or weekend activities.

It is felt that the significant changes to the fire service nationally make this a natural progression from Options 2 and 3. The greatest efficiencies will be realised when the rank to role project is completed and the junior managers are fully competent in their role as incident managers and/or sector commanders. To date the full extent of the Integrated Personal Development System (IPDS) has yet to become effective and under the IRMP ethos of, evidence based, low risk, step change, at this time option 3 may be a step too far.

Peripheral but nevertheless important issues arising from this review will be the impact in other areas. Change will reduce the number of rota days during the week, have the potential to effect annual leave allocation and overall require officers to attend more days at work. Similarly there may be a detrimental effect on the conditions of car use, which in any case are recognised as being long over due for review.

Whilst these recommendations may be attractive on paper, it's understandable that officers affected may see the changes as detrimental to a working pattern to which they have become accustomed. To minimise the impact of change and in an attempt to maintain industrial harmony, it may be advantageous to consider offering some kind of incentive that may encourage officers to willingly embrace the revised rota. Suggestions are:

- One off cash payment
- Revised car scheme, e.g. increased car allowance
- Mobile phone for all FDO's
- Personal issue laptop computer for each FDO.

M S Laws  
Chair of Review Team

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## RECOMMENDATIONS

### List of Recommendations for the Flexible Duty System (FDS)

1. A framework FDS should be introduced that offers a level of standardisation across the Service, yet has an inherent flexibility to cater for the wide ranging roles of officers.
2. The aim should be to achieve a set number of officers providing operational cover. This will even out the 'trough and peaks' in officer provision and increase the potential of officers being utilised when on duty.
3. LFRS should develop a policy to enable staff to exercise their statutory rights under the Employment Act 2002 in relation to flexible working arrangements.
4. The policy should consider the wider ambit of flexible working in terms of staff that do not satisfy the eligibility under statute.
5. The policy should include a clear and unambiguous interpretation of such terms as 'work/life balance, 'family friendly' and 'flexible working'.
6. The policy should be communicated to staff and where necessary, included in management training.
7. Regulation 20 of the Working Time Regulations 1998 (the 'Unmeasured Working Time' exemption) should be applied only to Principal Officers.
8. A common system of recording hours worked should be introduced to all workplaces in LFRS. This should be a phased introduction over 5 years and will cost approximately £100k.
9. Steps should be taken to ensure all officers are utilised in their role as managers when attending incidents.
10. The number of officers required to manage an incident should be based on risk and/or complexity. The number of pumps attending should be seen as a guide only and not prescriptive requiring a specific number of officers.
11. A set number of officers should be required to provide operational cover. This will improve efficiency and eliminate the currently experienced 'peaks' and 'troughs'. In the short-term the number should be 10 officers comprising, 2 DO's (Area Managers) & 8 StnO's or ADO's (Station & Group Managers).
12. The nodal point system lacks credibility and should be reviewed in light of experience. Serious consideration should be given as to how the system can be improved or whether in practice such a system is required at all.
13. Work is required to guarantee the availability of officers at times of abnormal operational activity.

14. Option 2 is the best rota in the short-term (1 – 3 years) for StnO's & ADO's (Station & Group Managers). Subject to consultation, negotiation and annual leave provision this could be introduced from January 2005.
15. Option 3 is the best rota in the short term (1 – 3 years) for DO's and SDO's (Area Managers). Subject to consultation, negotiation and annual leave provision this could be introduced from January 2005.
16. Option 4 offers the most efficient utilisation of officers. This should be considered for implementation in the long term (3 – 5 years).
17. The consideration of any changes to the annual leave system should be made to coincide with this review. It should therefore be possible to make staff aware of proposals that can be incorporated into the new FDS.
18. The existing Conditions of Use for car users are obsolete and should be reviewed.

## **REVIEW OF THE FLEXIBLE DUTY SYSTEM**

### **Acknowledgements**

The review team would like to thank the following for their assistance in carrying out this review project:

Avon Fire Brigade

Cambridgeshire Fire and Rescue Service

Cheshire Fire and Rescue Service

Cumbria Fire Service

Derbyshire Fire and Rescue Service

Grampian Fire Brigade

Greater Manchester Fire Service

Merseyside Fire and Rescue Service

Nottinghamshire Fire and Rescue Service

Shropshire Fire and Rescue Service

West Yorkshire Fire and Rescue Service

Engineering and Transport Department - SHQ

Statistics Department – SHQ

Training and Development Department – STC

Operations Task Group

Northern Area Headquarters staff

## Scope

The 2003 Fire Service Pay and Conditions Agreement between Fire Authority Employers and the Fire Brigades Union set out the principles for duty systems. This was redefined in the revised Grey Book (6<sup>th</sup> edition) where it was made clear that any change to the existing recognised duty systems; Shift, Day crewing, Retained, Day duty, Flexible duty must conform to the those principles and where disputed, would be referred to the Technical Advisory Panel (TAP). Any changes proposed in this report will conform to paragraphs 3 to 5 of Section 4, Part A of the new Grey Book.

This report will consider only the Flexible duty system (FDS).

## Background

Current duty systems worked in LFRS are as laid down in Section II of the National Joint Council For Local Authorities' Fire Brigades, Scheme of Conditions of Service (5<sup>th</sup> edition 1998) (Grey book). The contents of the Grey book have evolved over time and in relation to Duty Systems and Hours of Duty reference may be traced back prior to 1979. The FDS was introduced into the Fire Service on 1<sup>st</sup> January 1985. Since that time there have been minor changes to the system in LFRS, the most recent being approximately two years ago. The duty system under review is now considered to be outdated, rigid and does not meet the requirements of a modern fire service. The National Joint Council (NJC) has declared a commitment to the local democratic control of fire and rescue services<sup>1</sup> and to reflect the modernisation agenda, the Grey book has been amended. It has been agreed that the Duty Systems and Hours of Duty section should reflect the Fire Service Pay and Conditions Agreement 2003.<sup>2</sup>

The key driver to achieving the overall aim of making Lancashire a safer community is through the process of Integrated Risk Management Planning (IRMP). This should improve efficiency by way of freeing up resources and making the Service available at times when most needed by the community. Through this process Lancashire Combined Fire Authority has recognised an improvement opportunity and as a consequence the IRMP Action Plan contains a commitment to review the FDS. This report seeks to explore that potential and where appropriate will provide recommendations for improvement.

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<sup>1</sup> Fire Brigades National Employers Circular EMP/03/04

<sup>2</sup> National Joint Council Circular NJC/01/03

## Terms of Reference

To complete the task a project team was established comprising officers considered to have the requisite skills to complete the review and deliver a robust report covering the issues impacting on any proposals for change.

Divisional Officer Laws (Chair)	Northern Area Headquarters
Assistant Divisional Officer Ronson	Northern Area Headquarters
Sub Officer Robinson	Service Headquarters

## Aim of the Review

The aim of the review was to consider the existing FDS as worked by LFRS staff and provide recommendations for a work pattern that will improve efficiency. In consideration of this the anticipated benefits will create:

- Greater flexibility in working practices
- More effective use of staff time
- Work patterns more effectively linked to role
- Efficiency savings
- A regard for staff achieving a work/life balance in accordance with legislative provision and national policies.

The commitment to review the Day duty and FDS together with specific outcomes are contained in the Service letter to the Local Government Association (Appendix 1), a copy of which has been provided to the FBU. A successful outcome of the FDS review would be a submission of options to management based on the following criteria:

- Officers conditioned to the FDS to work an average of 42 managerial hours per week and in addition, to be on call to attend urgent matters for up to 36 hours per week.
- Managerial availability from Monday to Friday to be maximised.

Guidance on duty systems is contained in Section 4 of the new Grey Book (6<sup>th</sup> edition); a précis of which is included at Appendix 2.

Duty systems will need to meet the requirements of the Fire and Rescue Authority's IRMP and be based on the following principles:

- (1) Basic working hours should average forty-two per week (inclusive of three hours of meal breaks in every twenty-four hours) for full-time employees. Hours of duty should be pro-rata for part-time employees.
- (2) There should be at least two periods of twenty-four hours free from duty each week.

- (3) It should comply with relevant United Kingdom and European law, including the Working Time Regulations 1998, and Health, Safety and Welfare at Work legislation.
- (4) It should have regard to the special circumstances of individual employees and be 'family friendly'.

## Existing Arrangements

Existing conditions are as per Section II Grey Book (5<sup>th</sup> edition 1998). The LFRS application is shown at Appendix 3.

Within the definition of the FDS there are two types of duty;

*Managerial duty* – duty to perform full time operational command, managerial, supervisory and/or specialist duty appropriate to the post. This type of duty is also known as 'positive hours'.

*Standby/call out duty* – the officer is available on call for the urgent performance of specified duties.

The flexibility in the system is contained in the ability to cover a range of permutations of positive and standby/call-out duty hours so that the average commitment may vary from between 66 hours up to 78 hours on average per week. Although termed 'flexible', in order to comply with the original NJC Agreement on the Flexible Duty System (as specified in the Grey Book 5<sup>th</sup> edition), a number of stringent factors are required to be met.

Although compliant with the national structure, for reasons explained elsewhere the existing LFRS system is considered not to meet the needs of the Service. The review approach has been to consider a working rota that complies with the provisions of the national agreements.

To satisfy the parameters of achieving 42 managerial hours, whilst maximising officer availability Monday to Friday, it will be necessary to reduce the number of hours employees are required to provide callout/stand-by cover.

## Reason For Change

The opportunity exists through the IRMP process to realise greater efficiencies.

The flexibility within the FDS should permit individual brigades to combine managerial hours ranging from 38 - 42 per week with pro rata standby/call out hours. Depending on the option, standby/call-out hours should range between 24 – 40 hours per week. From the existing operational rota it can be seen that the managerial hours are at the lower end of the scale and fall well short of the 38 hours minimum, whilst standby/call-out are in excess of the maximum permitted.

Up to and including the rank of SDO there are currently 60<sup>3</sup> officers the FDS. Depending on the location of officers and the date appointed to the system, there are some slight differences between rotas. One common fact is that officers are placed in one of four rota groups, the purpose being to ensure 24-hour operational cover is maintained.

In the absence of a recording system, there is no accurate measure of an officer's hours worked. The only record being the time recorded with Control when an officer books on or off duty. The operation of the LFRS system requires officers to work one weekend in four. As a consequence officer availability for managerial duties in the weeks preceding and following the duty weekend is severely disrupted. Combined with other weekdays lost, this amounts to an overall loss of 84 weekdays per year for each FDO.

The structure of the FDS indicates a shortfall in managerial hours. However it is custom and practice for officers to attend work commitments whilst off duty. Although it may be expected for officers to take compensatory leave for additional hours worked, in practice this rarely occurs and many officers actually work far in excess of their rostered hours. In consideration of the statutory requirements in respect of working time and need to facilitate a work/life balance, this situation cannot be allowed to continue.

Maximisation of the FDO availability between Monday to Friday would facilitate greater access to the community and vice versa. There would be improved continuity and provide greater interaction with other departments both internal and external to the Service.

Whilst the current FDS ensures that a minimum number of officers are available at any one time, it does not consider a maximum number. As a result little use is made of the many officers giving cover between the hours of 18:00 and 09:00 hours. At its peak the current FDS may have as many as 40 officers providing cover throughout the county at any one time (midweek). This compares to other periods (particularly weekends) when the minimum of 12 and occasionally less, officers provide cover.

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<sup>3</sup> One DO II post (Communications) is currently vacant therefore the total establishment should be 61.

Evidence gathered during this project (Appendix 4) also shows officer operational activity levels over a 12-month period. A significant number attended very few incidents and at least one officer had not attended a single incident. This raises issues of training and operational competence, both of which are outside the scope of the review. One factor of the high numbers of officers currently providing operational cover is that personnel are being under utilised. This is an area where Service efficiency and officer's work/life balance can be improved.

### **Recommendations**

- 1 A framework FDS should be introduced that offers a level of standardisation across the Service, yet has an inherent flexibility to cater for the wide ranging roles of officers.***
- 2 The aim should be to achieve a set number of officers providing operational cover, this will even out the 'trough and peaks' in officer provision and increase the potential of officers being utilised when on duty.***

## Review Considerations

### Family Friendly / Flexible Working / Work Life Balance

In recent years the Government has demonstrated a commitment to support and reinforce a 'family friendly' culture to the mutual benefit of the employee and the business<sup>4</sup>. This has meant a significant change in approach by employers in relation to permitting employees to work 'non standard' work patterns. The interpretation of terms such as 'family friendly' and 'work life balance' are important, as personnel should be aware of their rights and as a consequence understand the how this may affect them in the work place.

The commitment to family friendly working is contained in the Grey Book (6<sup>th</sup> edition). This is a key feature of making equal opportunities and work/life balance a reality. In practice it brings into focus the need to consider the statutory rights and obligations under a range of legislative provisions outlined in the Grey Book. The ambiguity surrounding such phrases as 'family friendly' and 'flexible working' has tended to create an environment whereby the lesser informed have sought to interpret the meaning to suit only their personal circumstances without having regard for their contractual obligations.

Research shows that Brigades nationally have adopted a variety of approaches to applications desiring flexible working. One Brigade has a number of firefighters working non-standard patterns. Whilst another has focused on the business case for refusal, relying on the ground of 'Burden of additional cost'. A modern fire service is a high profile public sector employer representing the wide and diverse community and as such, diversity should be reflected in its workforce. It's felt that Brigades seeking to rely on business grounds for refusal, rather than attempting to develop flexible-working opportunities to benefit as wide a range of staff as possible, may be vulnerable to challenge. LFRS should therefore have regard for the current statutory rights and political vision for the future.

The Employment Act 2002 provides a framework for parents of children under the age of six or of disabled children under the age of eighteen the right to apply to work flexibly providing they meet the eligibility criteria. The right is not automatic, as there may be circumstances when the employer is unable to accommodate the employee's desired work pattern. Flexible working patterns are designed to meet the needs of both parties and to facilitate discussion to find a solution that is acceptable to both.

An application may be refused only where there is a clear business reason for doing so. The business ground(s) for refusing an application are laid down in statute and summarised in Appendix 5.

Whilst we should seek to develop the family friendly culture, it's important that this is done in a structured manner. The statutory provisions are explicit with a strict procedure that must be adhered to by both employers and employees. It is beyond the scope of the review to

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<sup>4</sup> HMSO Command Document Cm 3968 (May 1998)

consider the finer detail of this issue, as there a range of interlinking issues that require a more detailed examination. Unless the term 'flexibility' is defined and communicated to staff, line managers will increasingly be faced with a bewildering array of scenarios that may risk flexible working becoming a 'free for all' situation. It can already be seen that some employees who do not get what they believe to be theirs as of right, are accusing their line manager and in turn the organisation, of not being 'family friendly.'

Promoting different approaches to working time can provide local authorities with one of their most powerful tools for enhancing services within existing resources whilst also enabling employees to have greater choice about when they work.<sup>5</sup> Increasingly, employers are developing a wide range of work-life balance options, covering flexible working arrangements and flexible benefit packages. Examples are:

#### Flexi-time

Flexi-time is a system that enables employees to vary their hours outside specific core hours, subject to Service requirements and within a particular time-band (bandwidth). The system usually operates on a monthly calculation period and allows employees to carry over a specified number of debit and/or credit hours from one month to the next. The agreement may also specify how flexi leave can be taken, e.g. full days, half days or in hours.

#### Compressed weeks/fortnights

Compressed weeks/fortnights provide more half days or days away from work without reducing full-time pay. They may also enable more effective working through providing quiet times at the beginning and end of the working day. It may provide the opportunity to avoid rush hour traffic. A full-time hours, four-day week can also enable employees to attend a training course as part of life long learning plans

#### Term-time working

An arrangement of hours that enables parents to spend more time with their children over the school holidays. There are also variations to accommodate various child care arrangements available to parents of school age children.

#### Annualised hours

Averaged annualised hours is where an employee's hours are totalled over a period, often a year. Employees work more or less hours per week as agreed, and usually fitting in with seasonal peaks and troughs of the Service, up to the annual maximum. Term time working can be a version of averaged hours.

#### Swapping hours

A procedure to permit swapping hours to enable employees to exchange hours with colleagues doing the same type of work at different times of day.

#### Job-sharing

Two people share the responsibilities of one full-time worker.

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<sup>5</sup> Finding the Balance – NJC for Local Government Services 2001

A number of brigades have developed systems that will facilitate staff working non-standard work patterns. There is currently a national approach to this, which is being led by Cheshire Fire Service. DO Laws has been co-opted onto the group and it is expected the situation will be dynamic with further developments in due course.

### **Recommendations**

- 3** *LFRS should develop a policy to enable staff to exercise their statutory rights under the Employment Act 2002 in relation to flexible working arrangements.*
- 4** *The policy should consider the wider ambit of flexible working in terms of staff that do not satisfy the eligibility under statute.*
- 5** *The policy should include a clear and unambiguous interpretation of such terms as 'work/life balance, 'family friendly' and 'flexible working'.*
- 6** *The policy should be communicated to staff and where necessary, included in management training.*

## Statutory working time – Hours of Work

Under s.2(1) of the Health and Safety at Work Act 1974 every employer is required to ensure “so far as reasonably practicable” the safety, health and welfare of all their employees. This implies a restriction on the employment of any employee for excessively long hours, or unsuitable shifts likely to cause physical or mental ill health, or precipitate fatigue-induced accidents. It also implies the provision of adequate intervals for meals and rest.

The Working Time Regulations 1998 (WTR) are wide ranging and have the potential to impact significantly on the Service as a whole. A summary of the principal requirements is outlined in Appendix 6.

The WTR limit the maximum working time of a worker and confer certain other rights in respect of the length of night work and rest periods.

Crucial to the application of the Regulations is the meaning of ‘Working time’. This is defined in Regulation 2 as:

- a. *Any period during which a worker is working, at the employer’s disposal and carrying out their activities or duties,*
- b. *Any period attending training*
- c. *Any additional period which is to be treated as working time for the purpose of the Regulations under a relevant agreement.*

In general, it may be accepted that under the Regulations all activities relating to the work of officers will be deemed ‘work’. The question of time ‘on call’, i.e. FDO’s at home, has been considered in the European Court where it was decided:

*Where the worker must merely be contactable at all times when on call, only time linked to the actual provision of services must be regarded as working time.<sup>6</sup>*

In relation to FDO’s it is important to recognise the ‘Unmeasured Working Time exemption under Regulation 20. This deals with the situation where the duration of working time is not measured and can be determined by the workers themselves. Although there is some suggestion that this exemption may be lifted, current guidance<sup>7</sup> suggests that CFO’s and Principal Officers fall within this definition, as do FDO’s who have discretion whether or not to attend incidents and determine at what point they leave that duty. It could be argued that all FDO’s meet this criteria. However the spirit of the Regulation 20 is that exemption appears to be aimed only at senior managers of organisations.

### **Recommendation:**

- 7 ***Regulation 20 of the Working Time Regulations 1998 (the ‘Unmeasured Working Time’ exemption) should be applied only to Principal Officers.***

<sup>6</sup> ECJ case *SiMap* [2001] ICR 1116, confirmed in *Jaeger* [2003] IRLR 804. Quite clearly officers on call are not considered to be at work until duties are performed.

<sup>7</sup> ODPM guidance note No. 6 (2004), a summary of which compiled by employment lawyer Richard Leiper, has kindly been provided by Cheshire Fire Service.

The 24-hour availability of FDO's combined with the managerial commitment has the potential for officers to be in contravention of the WTR. Some officers work long managerial hours and it is common practice for officers who have attended incidents during the night to report for managerial duty at the normal time the following day. Whilst officers are aware of the right to take compensatory time, evidence gathered by the review team (Appendix 7), albeit over a limited period, suggests that this is rarely the case. Officers are trusted to manage their own time and whilst a wide range of commitment is prevalent across the Service, the absence of an adequate recording system makes impossible to show what hours are actually worked by officers.

IRMP guidance note No 6 states that for the most part the WTR apply to fire services and all reasonable all steps should be taken to manage activities in a way that complies with the Regulations.

In relation to record keeping, guidance suggests that where systems already exist, it's not necessary to have separate records to show the number of hours routinely worked in accordance with an employment contract<sup>8</sup>.

Below is a list of the elements that should be recorded. The third column indicates whether / how the particular element is currently recorded in LFRS.

<b>Category of Staff</b>	<b>Details Necessary</b>	<b>Method of recording</b>
<b>Flexible duty officers</b>	Normal day duty hours	Rota system
	Leave and/or sickness	Rota system
	Emergency calls	None / incident log
	Other specialist duties e.g. FS	None / personal diary
	Evening commitments	None / personal diary
	Additional training outside normal hours	None / rota system
	Hours in other employment	None
N.B. Not included but relevant under the WTR is time spent at work when officers are rostered 'off-duty.'		

Recording systems should be adequate to facilitate period monitoring. The table above casts some doubt on the credibility of the systems currently used to record hours worked by FDO's. The review team found that some information regarding hours worked and duties performed by individuals both on and off duty is difficult to obtain, thus highlighting the possibility that LFRS could be vulnerability under the WTR and Health & Safety legislation.

<sup>8</sup> IRMP guidance note No 6 para 3.19.2

The use of the rota system to record FDO's is primarily for operational cover purposes. No regard is given to whether hours worked are managerial or standby/call-out. It can be assumed that officers away from home are working managerial hours, but this cannot be quantified. Similarly, many officers carry out managerial work at home and whilst under the provision of the WTR. Such work is only classified as 'work' if required by management, it is never the less work that should be credited to the officer involved.

To enable hours worked to be audited it will be necessary to introduce a system of recording. Human Resource department are currently involved in a detailed analysis of recording systems, therefore it is not proposed to discuss this issue in detail in this report. Options are briefly outlined below.

1. Paper-based - Low cost and easy to implement; however the time required to manage such a system could be considerable.
2. Clock system - Cost £25k for all LFRS workplaces. As above this would require management. Compared to other systems 'clock' systems now considered outdated technology.
3. Computerised 'swipe' system – Currently in use at County Hall, the cost of installation to all LFRS workplaces would be approximately £100k. This is a wide ranging and flexible system that will meet all the Service needs. **This option is recommended** to be phased into use at all workplaces in LFRS over a five-year period. The detail surrounding introduction will be subject to further investigation. However the following order of priority should be considered.

<u>Action</u>	<u>Timescale</u>
Replace existing 'clocking' system (SHQ & STC). This introduces the system into LFRS and from the user perspective would be no change from existing practice.	Immediate
Day duty staff - A method of recording is considered essential to the operation of a flexi-time system. Although a paper based system would suffice in the short term, the 'swipe' system should be planned in the long-term.	1 – 2 years
Flexible Duty Officers – to be phased in following the day duty staff.	2 - 3 years
Shift / Day crewing – not considered a priority, but should be included in the long-term.	3 – 4 years
Retained – not considered a priority, but should be included in the long-term.	4 – 5 years

### **Recommendation:**

- 8 *A common system of recording hours worked should be introduced to all workplaces in LFRS This should be a phased introduction over 5 years and will cost approximately £100k.*

## Flexible Duty Officer Requirements

The current disposition of FDO's is as per Appendix 8. The cost per employee is:

	<b>StnO/SM (A)</b>	<b>ADO/SM (B)</b>	<b>DO II/GM (B)</b>	<b>DO I/AM (A)</b>	<b>SDO/AM (B)</b>
Basic Salary	31,869	34,126	39,502	42,263	45,887
20% Flexi	6,374	6,825	7,900	8,453	9,177
Pay	38,243	40,951	47,402	50,716	55,064
NI on above	3,376	3,723	4,549	4,973	5,529
Car Allowance (if applicable)	4,286	4,286	4,286	4,286	4,286
<b>Total Cost</b>	<b>45,905</b>	<b>48,960</b>	<b>56,237</b>	<b>59,974</b>	<b>64,880</b>

All salaries are based on full stage 2 award, but exclude 4.2% wef 1 July 2004  
Car allowances is based on an essential/lease user doing 8,500 miles pa

Total cost of employing current FDO establishment is:

<b>RANK</b>	<b>TOTAL NUMBER</b>	<b>TOTAL COST (£)</b>	<b>NOTES</b>
SDO	3	194,640	
DOI	6	359,844	
DOII	8	449,896	1. Includes DO Communications, currently vacant. 2. Excludes DO (E&T)
ADO	28	1,370,880	1. Excludes ADO (E&T)
STNO	16	734,480	

## Operational Cover Arrangements

In determining the number of FDO's required it is necessary to consider;

i) Managerial commitment – Outside the scope of this project.

and

ii) Incident Management

Fundamental to the number and level of officers required to provide operational cover is the number of officers required to manage the ICS. At the initiation stage of the Project an assumption was made that the minimum number of officers providing cover would remain unchanged at 12. However, when scrutinised, no objective foundation for this figure can be found. Historically under the x3 divisional structure, the minimum cover requirement was 4 officers per division. In addition to this, a number of local arrangements had developed over time, which had in effect created a piecemeal structure. The reorganisation into x6 Areas in 2002 spread the existing minimum across the whole Service, which is believed to be the foundation of the current minimum officer requirement.

Research into FDO mobilising arrangements by the Operations Task Sub Group (Appendix 9) has based its findings on two key factors.

1. The experience of the group members, and
2. An assumption that maximum 'normal' (as required by Clause 7 of the Draft Fire and Rescue Bill) operational activity would be:
  - i. Two simultaneous ten pump incidents, or
  - ii. One twenty pump incident

The group also considered the application of the ICS under a number of principles:

- a) During the operation of the ICS the sector commander should not be a crew commander also.
- b) The sector commander can be drawn from officers currently committed in a sector area provided that there is still one crew commander per crew in the area.
- c) A junior officer could be a sector commander where there were only two spans of communication. This would normally mean two crews working.<sup>9</sup>
- d) A station officer could be a sector commander where there was up to three spans of communication.
- e) Where there were more than three spans of communication the sector commander would be a flexi duty officer.

Although the group concluded that current arrangements are adequate to meet the assumed normal requirements, there is evidence to suggest that the above assumptions are flawed and

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<sup>9</sup> This could mean a leading firefighter in charge of two crews. Whilst standard procedures would dictate that the crews should be commanded by a sub officer, there are currently many occasions where two pump attendance's are commanded by leading firefighters prior to the arrival of a flexible duty officer.

the principles at odds with the National Occupational Standards and Development Modules in relation to incident management (Appendix 10).

Statistics are provided by the group to show incidents occurring in years 2002 – 2003. What is also shown is that over a two-year period only one 20-pump incident occurred.<sup>10</sup>

What needs to be considered is the frequency that multi pump incidents occur simultaneously. Information obtained from SHQ statistics (Appendix 11) show over the years 2002 – 2004<sup>11</sup>, incidents involving 3 or more pumps were 0.6% of all incidents and the number of multi-pump incidents occurring simultaneously during both years amounted to less than 0.05% of all incidents attended.

As identified by the Operations Task Sub Group, compiling mobilising statistics is extremely labour intensive and in some cases the accuracy of returns may be questionable. In addition, there are a range of other issues to be taken into consideration; e.g. in relation to a large incident, how many appliances attending are provided for support and in practice play little part in dealing with the incident? Also; on occasions when incidents do occur simultaneously, at what stage is one incident when the next incident starts? Anecdotal evidence would suggest that on such occasions, one incident would be being scaled down as the next incident commences.

**Key point** - What can be drawn from the information provided is that a twenty-pump incident will occur approximately once per year and in relation to total number of incidents attended, simultaneous multi pump incidents involving three or more pumps are an extremely rare occurrence.

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<sup>10</sup> One twenty pump incident has occurred to date in 2004

<sup>11</sup> Ideally statistics would have been taken from a larger sample. However this was not possible due to only 2 years data being available.

## The Role of Officers at Incidents

In view of the imminent change from ranks to roles, there is a need to consider the management of the ICS in relation to ranks, roles and how transition between the two will become effective.

Guidance to incident command is contained in Fire Service Manual Volume 2, Operations. It is beyond the scope of the review to discuss in detail the operation of the ICS, however a number of guiding principles have been extracted that will give a steer as to the future of incident management.

- Brigade policy should determine ranks (roles) and responsibilities at incidents (Para. 2.4.1)
- Depending on a brigade's policies and resources, sector commanders maybe junior officers (Para. 2.4.1)
- Sectors can only be created when a competent individual is available to assume responsibility for the operations within it (Para. (2.4.1)
- The span of control for tactical roles should ideally be limited to five lines of direct communication (Para 2.3).

## National Occupational Standards & Development Module Database

According to the National Occupational Standards there are two units that describe the incident management function:

- 1) Unit WM7 Lead and support people to resolve operational incidents. Applicable to Crew Manager & Watch Manager.
- 2) Unit EFSM2 Lead monitor and support people to resolve operational incidents. Applicable to Station Manager, Group Manager & Area Manager.

The Development Module Database describes a detailed breakdown of modules. In general there are two levels of incident command:

- 1) OiC of first attendance
- 2) OiC of incident where level of risk and/or complexity of the incident warrants a more senior officer taking over.

**Key point** – According to the National Occupational Standards and Development Module Database:

- 1) When attending operational incidents, the role of the Crew Manager and Watch Manager are the same.
- 2) The management of an incident should be based upon risk and/or complexity of the incident, not the number of pumps attending.

## The Management Function at Incidents

In relation to ‘Span of Control’, the Fire Service Manual Volume 2, Operations, Chapter 2(2.3) states:

*“ ..... areas of involvement of any officer need to be limited to enable the individual to deal effectively with those areas, and cope with the information flow.”*

*“No individual should be responsible for so many aspects of the incident that it is difficult or impossible to give sufficient attention to each.”*

*“ Span of Control is exercised at all times by the requirement of additional officers to be introduced into the chain of command when the demands on any individual’s attention become excessive.”*

From this it can be seen that lines of communication in relation to spans of control should be determined by circumstances and/or an officer’s ability to cope with the information flow. The basis of the principles above established by the Operations Task Sub Group, appear to be rank related; i.e. the higher the rank, the more lines of communication. This is illogical as it suggests an officer of higher rank is better able to cope with information flow than an officer of lower rank. It is the belief of the review team that incident management in terms of lines of communication should be applied to individuals. Responsibility for managerial functions should be allocated appropriate to the complexity of the incident and the competency of the managers available.

**Key point** - Although there will be period of transition from ranks to roles, the strategic approach must be to consider managers in relation to their role.

This raises the issue of the appropriate level of FDO required to manage an incident. Having regard for the DMD the incident management roles may be grouped as follows:

- Crew & Watch Managers; (existing LFF’s, SubO’s & rider StnO’s) have virtually the same role map<sup>12</sup> and therefore should be competent to carryout the same functions at an incident. All roles should be competent to operate as a sector commander. This may necessitate a review of the training provided to achieve this competency.
- Station & Group Managers; (existing StnO SC’s, ADO’s, & DOII’s) the incident management roles are identical.
- Area & Brigade Managers (DOI’s, SDO’s & PO’s) Provide strategic leadership and support at operational incidents.

**NB:** All roles have a responsibility in respect of development module No. 048, Environmental risks and control.

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<sup>12</sup> The only difference being module 028, Incident debriefs – Reviewing performance. This module does not apply to Crew Manager.

## Actions of Junior Officers

Evidence has been gathered following a series of recent multi-pump incidents to assess the actions of junior officers in relation to their role as operational managers (Appendix 12). Although time available for research was limited, information obtained does support anecdotal evidence that junior officers are often under utilised as ‘managers’ at incidents. To ensure the greatest efficiency is made of all operational personnel and hence the best possible delivery of service, steps should be taken to ensure all managers are aware of their managerial function at incidents in relation to their respective role map. For some officers this will require a change from their traditional approach to dealing with incidents and may take time for them to be comfortable with their managerial responsibilities. Support will be essential and for some, additional training may be required.

### Recommendation

- 9**     *Steps should be taken to ensure all officers are utilised in their role as managers when attending incidents.*

Given that risk and/or complexity should determine the management of an incident, mobilising officers based on the number of pumps attending should be considered as a guide only. It's neither logical nor practical to utilise FDO's at multi-pump incidents without considering the operational requirements of the incident. Clearly a large complex incident or one that requires a large number of firefighters needs to be adequately resourced in terms of managers. However there are many occasions where a suitably competent junior officer could manage a straightforward incident, e.g. a water relay.

### Recommendation

- 10**    *The number of officers required to manage an incident should be based on risk and/or complexity. The number of pumps attending should be seen as a guide only and not prescriptive requiring a specific number of officers.*

The evidence provided above supports the view that the current minimum number of 12<sup>13</sup> FDO's is in excess of ‘normal’ requirements. Evidence would support a figure of 8 as being more appropriate and the overall aim should be to operate with a specified number of FDO's providing cover, as this would eliminate the peaks and troughs of availability currently experienced. Despite the fact that there are occasions under existing arrangements when officer cover will fall below 12, to rationalise at a figure of 8 officers would represent a 33% reduction in currently accepted officer cover, Although such a move could be supported by increasingly robust evidence, there are a range of other factors to consider that would at this stage make such a decision premature. Utilising existing officers it is possible to provide a more even spread of cover ranging between 10 – 14 officers at all times. Ideally and to ensure optimum efficiency a constant number of 10 officers should be the norm.

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<sup>13</sup> x1 StnO or ADO per Area, x2 DO's (neither of whom can be the only officer in an Area) and the remainder interspersed across the Service (excluding PO cover).

**Recommendation**

- 11** *A set number of officers should be required to provide operational cover. This will improve efficiency and eliminate the currently experience 'peaks' and 'troughs'. In the short-term the number should be 10 officers comprising 2 DO's (Area Managers) & 8 StnO's or ADO's (Station & Group Managers).*

Another factor to consider is the location requirements of first response officers. The nodal point system designed to ensure an even spread of officers relative to risk areas does ensure an officer is notionally available within 20 minutes of a selected risk area<sup>14</sup>. In practice Control will seek to contact the nearest appropriate officer to an incident. Already the nodal system has fallen into disrepute with some officers not providing cover in the area allocated to their post. Looking at both the managerial and operational functions of officers, a balance must be drawn between maintaining a satisfactory officer spread, ensuring those best suited to managerial posts are appointed and consideration for the officer's work/life balance. There are many instances of officers providing a base away from home and whilst this is a personal choice for the individual, it may be seen as somewhat archaic that middle managers need to work under such conditions. Considering the notional '20-minute' rule, raises the question that given modern communications and the improved county road network, whether such rigid rules are necessary in the 21<sup>st</sup> century. A relaxation of the 20-minute rule would create greater flexibility in the allocation of FDO references and encourage a wider range of staff to apply for managerial vacancies.

**Recommendation**

- 12** *The nodal point system lacks credibility and should be reviewed in light of experience. Serious consideration should be given as to how the system can be improved or whether in practice such a system is required at all.*

A point identified by the OTG was the potential need at times of increased operational activity to recall officers to duty. What in fact is highlighted are those occasions when there are insufficient officers to meet operational demands e.g. major catastrophic incidents or 'spate conditions.' Although from the evidence gathered it is suggested that this would normally be an occasional occurrence, it is felt appropriate to consider this potential as part of the review. Grey Book (6<sup>th</sup> edition) Section 4 paragraphs 31 & 32 outline the provision for 'Recall to Duty', which:

*" .... shall be on a voluntary basis and in line with arrangements determined locally following consultation ..."*

The current practice is at times of heightened activity, Control staff are either reliant on officers making themselves available, or a Control Operator(s) must telephone individual officers on the off chance that those available are prepared to return to duty. This occurs at times when Control staff are at their busiest. To detail a member of staff to make what could be up to 40 telephone calls detracts from managing incidents and places additional pressure on all staff. This cannot be considered an efficient way of managing an emergency service.

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<sup>14</sup> And in many cases an officer's location will adequately cover more than one area, yet for mobilising purposes, he will be allocated to one area only, which often does not make the most efficient use of officers.

**Key point** - Despite the evidence to support a reduction in the number of operational officers on duty, it has to be recognised that to do so will increase the likelihood of officer shortfall.

Two options are offered for consideration as fallback measures.

#### 1. Recall to Duty

This option has the benefit of utilising LFRS officers for incidents, which has the advantage of local knowledge, communications, procedures etc. To utilise this option, the current ad hoc system of recalling officers to duty should be discontinued and the whole system formalised. A drawback to this will be that officers available for recall would need to be rostered, which will mean they will be effectively on call. In terms of the WTR this would not be classified as 'work' unless the officer responds to duty. However in terms of the FDS, this time may be interpreted as on call/standby duty and hence could count towards maximum hours, which for the most part would not be utilised. Should this be considered appropriate, early consultation with recognised trade unions should be entered into.

#### 2. The Regional Approach

Much work is currently ongoing to secure regional collaboration across a range of activities. Aside from the practical issues mentioned in the previous paragraph, there is no reason why collaboration cannot be extended to the management of operational incidents. It is possible under the forthcoming legislative provisions that such arrangements may be mandatory. Clauses 13 of the Fire and Rescue Services Bill obliges fire and rescue authorities to group together (as far as is practicable) to provide mutual assistance and Clause 14 gives the Secretary of State the power to direct the fire and rescue authorities involved to make, vary or revoke such a scheme. To ensure this option is founded on a robust framework, further work will be required. However all the indicators suggest a regional approach is the way forward and this will be accelerated by the regionalisation of control rooms. This option should be explored in conjunction with our regional partner brigades with a view to formulating a mutually binding contract.

### **Recommendation**

***13 Work is required to guarantee the availability of officers at times of abnormal operational activity.***

## Considering the Flexible Duty System

### Basic principle

48 hours = maximum hours per week of either managerial or standby duty

Managerial hours should be up to 42 per week

Standby hours should be x4.

### Formula for FDS

The sum of managerial and standby/call-out hours must not exceed an average of 48 hours per week in a rota cycle, which its self must not exceed 8 weeks. The standby/call-out duties are subject to a x4 multiplier.

Max hours (48) – managerial hours (up to 42) = standby hours

Standby hours x 4 = total standby hours available

Total standby hours + managerial hours = Total hours available

### The initial brief

The inference in the briefing letter to the LGA was that officers would work 42 managerial hours p/w and in addition, up to 36 hours p/w standby. To apply this to the formula would mean;

42 managerial hours

$36/4 = 9$  standby hours

$42 + 9 = \underline{51}$  hours per week

This would increase the working week to beyond the 48 hours maximum and therefore **breaches both the WTR and Grey Book conditions.**

### Balance of Managerial / Standby hours

42 hours managerial + 24 hours standby = 66 hours per week

40 hours managerial + 32 hours standby = 72 hours per week (preferred - see below)

38 hours managerial + 40 hours standby = 78 hours per week

**Key point** - A greater number of managerial hours provides less hours available for standby. Therefore more officers are required to provide operational cover. A small change in managerial hours makes a significant difference to the number of officers required.

## Duty Systems for consideration

Under the existing system what is immediately apparent is by making the assumption that officers will nominally work 9 managerial hours when on duty, the actual number of managerial hours worked will be less than 34 hours per week. When combined with the on call/standby hours, the total available work hours are marginally in excess of the 78 hours per week maximum. This difference reflects the shortfall in officer availability during normal working hours, yet accounts for the occasions when there is a surplus providing operational cover.

The following duty systems have been considered:

<u>Rota option</u>	<u>Recommendation</u>
1. Existing system modified.	Rejected
2. Five-week rota incorporating five officer groups.	Recommended for FDO's below the rank of DO.
3. Six-week rota incorporating six officer groups.	Recommended for DO's & SDO's.
4. Flexi-time rota incorporating one officer group.	Recommended as a longer term option.

### 1. The existing rota modified

The approach to this option was to consider the minimum changes required to the existing rota to meet the requirements of the review. Due to the massive imbalance between managerial and standby hours, together with the shortfall in managerial hours worked, the existing duty system would require major alterations and even then would not meet the requirements of IRMP.

#### Option rejected

**2. Five-week rota incorporating five officer groups**

(Appendix 13)

<b>Framework</b>	<b>Advantages</b>	<b>Disadvantages</b>
1. 40 hours managerial 2. 8 hours per day managerial hours – applied flexibly 3. 1 night per week officer cover 4. 1:5 weekend working	1. Meets IRMP by more efficient use of officers time 2. Less weekend working 3. Less nights providing cover 4. Shorter working day 5. Subject to operational cover days off may be taken flexibly.	1. Perceived by officers as a worsening of conditions. 2. Potential impact on annual leave. 3. Potential impact on car user conditions of use.

This rota requires 1 FDO per Area (below DO rank) and a total of 8 officers covering the Service. Officers will be area specific, therefore each Area Commander will manage cover on an Area basis. Flexible in operation, which should enable both the Service and individual needs can be catered for. The rostered number of standby hours worked will be less than an average of 32 per week (as required within the formula to complement 40 managerial hours). The shortfall of 9.6 hours per week will be available to management as a 'bank' of up to 20 shifts per officer per year to cover absences. This option will offer a high degree of flexibility between managerial and standby hours. When compared to the existing system, 40 managerial hours is a significant improvement that will offer 3 x 5 day week and 2 x 4 day week working.

The option will be structured around 5 groups consisting of 8 officers per group.

**Recommendation**

**14** *Option 2 is the best rota in the short-term (1 – 3 years) for StnO's & ADO's (Station & Group Managers). Subject to consultation, negotiation and annual leave provision this could be introduced from January 2005.*

**3. Six-week rota incorporating six officer groups**

(Appendix 14)

<b>Framework</b>	<b>Advantages</b>	<b>Disadvantages</b>
1. 6 week reference period assures a minimum of 2 officers on cover. 2. Days are 0900 – 1700 (8 hours) 3. Nights 1700 – 0900 (16 hours) 4. 1:6 weekend working	1. Meets IRMP by more efficient use of officers time 2. DO's provide Service wide cover are on a separate rota to other officers 3. Maximises Mon – Fri working. 4. Minimal weekend working 5. Will cater for new roles 6. Accepted by regional partners.	1. More nights cover than option 2. 2. Officers changing roles may be required to work different flexi rota 3. Moving SDO's will impact on PO's rota.

Subject to maintaining x2 officers on duty, this rota may be operated flexibly as per option 2. Current arrangements require a specific number of FDO's on duty, which include the DO's. One DO cannot be the only officer on duty in an Area, leading to inefficiencies and unnecessary restrictions being placed on officers. Given that DO's provide Service wide cover it's felt best for these to be shown separately to lower ranks who are allocated to specific areas. To operate this rota requires x6 DO's to ensure one officer on duty and x12 to ensure two officers (current establishment of DO's and SDO's is 16). DO's will therefore be working in pairs. Because of this it cannot cater for groups of 8, therefore the 6-week option is not available to ranks below DO.

This option will be structured around 6 groups with 2 officers per group.

**Recommendation**

**15** *Option 3 is the best rota in the short term (1 – 3 years) for DO's and SDO's (Area Managers). Subject to consultation, negotiation and annual leave provision this could be introduced from January 2005.*

**4. Flexi-time rota incorporating one officer group**

This option works on the principle that a specific number of officers are required to be on duty at any one time. The traditional group structure would be abolished, which would ensure maximum officer flexibility combined with a high degree of flexibility. In practical terms the option is similar to the annualised hours system, whereby officers will be required to work a set number of hours, including weekends, over a specified period. Three basic models are illustrated below, all of which comply with the existing flexible duty formula:

<b>Framework</b>	<b>Advantages</b>	<b>Disadvantages</b>
<ol style="list-style-type: none"> <li>1. No groups – basic rota is managed on a periodic basis to be determined.</li> <li>2. The framework is similar to day duty system, officers required to work between 38 - 42 managerial hours per week, pro rata standby/call out hours.</li> <li>3. Each officer is required to work specific no. of hours &amp; weekends per year.</li> </ol>	<ol style="list-style-type: none"> <li>1. Greatest flexibility in officer cover</li> <li>2. Set no of officers on duty to provide cover</li> <li>3. Officers can vary cover arrangements to suit absences or other duties e.g. A/L or retained duties</li> <li>4. Less officers required</li> <li>5. Family friendly (flexible cover will accommodate family commitments)</li> <li>6. Can be applied under existing officer cover arrangement, or on officers providing Service wide cover (review nodal point policy).</li> </ol>	<ol style="list-style-type: none"> <li>1. System will need close management – an additional post may be required to manage officer logistics.</li> <li>2. Impact on car users conditions of use.</li> <li>3. Greatest efficiency will be gained by structuring annual leave period to avoid duty week-ends.</li> </ol>

IRMP Project No.10  
Review of the Flexible Duty System

Model for flexi-time rota based on 8 officers

	(1)	(2)	(3)
a. Managerial hours at work	42	40	38
b. Max permitted work hours	48	48	48
c. Standby hours	6	8	10
d. Multiply factor x4 (d x e)	$6 \times 4 = 24$	$8 \times 4 = 32$	$10 \times 4 = 40$
e. Total hours per week	168	168	168
f. Standby cover required (e – a)	$168 - 42 = 126$	$168 - 40 = 128$	$168 - 38 = 130$
g. Available standby hours per week	24	32	40
h. To provide 1 officer (f / g)	$126 / 24 = 5.25$	$128 / 32 = 4$	$130 / 40 = 3.25$
i. LFRS officer cover (see # below)	8	8	8
j. Minimum officer requirement (i x h)	$8 \times 5.25 = 42$	$8 \times 4 = 32$	$8 \times 3.25 = 26$
k. Absence factor (j / k) (see * below)	$42 / 8 = 5.25$ round up to 6	$32 / 8 = 4$	$26 / 8 = 3.25$ round up to 4
<b>l. Total officers required (j + k)</b>	$42 + 6 =$ <b>48</b>	$32 + 4 =$ <b>36</b>	$26 + 4 =$ <b>30</b>
m. Existing FDO complement	60	60	60
n. Officer reduction (m – l)	$60 - 48 = 12$	$60 - 36 = 24$	$60 - 30 = 30$
o. Average cost per officer	£51k	£51k	£51k
p. Anticipated savings (n x o)	$51 \times 12 = \text{£}612\text{k}$	$51 \times 24 = \text{£}1,224\text{k}$	$51 \times 30 = \text{£}1,530\text{k}$

# Minimum officer recommendation (outlined above – excluding PO's):

Area manager = 2

Group or station managers (one per Area) = 6

Total officers required = 8

\* The minimum officer requirement figure does not account for absences annual leave, sickness, training etc. Each officer would be absent on leave for approximately x7 weeks per year. At  $52/7 = 7.43$  officers equates to x1 additional officer for every 7.43 officers. This should be rounded upwards to 8.

As can be seen less managerial hours provides for greater standby cover, hence less officers will be required.

Given that this review takes no account of the managerial function, to implement this system would require a complete review of the management structure.

Similar issues as outlined in Option 2 will require consideration. Also, to ensure maximum efficiency, officers should be required to work a specific number of weekend per year.

### **Recommendation**

***16 Option 4 offers the most efficient utilisation of officers. This should be considered for implementation in the long term (3 – 5 years).***

## Potential Impact of Changes to FDS

### Annual Leave

Under the existing rota, the combination of midweek rota days, PH leave and annual leave can permit generous periods of leave. Clearly to reduce the number of midweek rota days has the potential to create a reduction in the overall absence over a 12-month period, a point made by some FDO's to the review team. However 'packaged', it will be perceived by some that changes to the FDS will amount to a reduction in annual leave allocation. Some work has been done external to this review that is intended to simplify the system. An option is currently with ACO O'Brien for consideration.

### Recommendation

*17 The consideration of any changes to the annual leave system should be made to coincide with this review. It should therefore be possible to make staff aware of proposals that can be incorporated into the new FDS.*

### Operational Cover Arrangements

Appendix 15 shows the existing operational cover arrangements and a suggested disposition of officers across five groups. As some officers currently in post do not provide cover in the area allocated to their post, there is already flexibility built into the system. The longer term impact on officer location may be dependent on the review of the nodal point system. In the short term the impact should be minimal, except that some officers may reside outside the 20-minute rule. It is felt that the suggested disposition, managed at Area level is reasonable for the introduction of a workable system.

### Car User Conditions of Use

The conditions applicable to LFRS officers and upon which all FDO's claim mileage have been examined (Appendix 16). As these are founded on the obsolete 'Residential' duty system they are now long overdue for review. As a consequence of this review there is the potential for changes in terms of the 'first' and 'last' journey to be detrimental to the car user. Also, it would appear that FDO's new to the scheme are given instruction from more experienced officers and it is suggested that some FDO's currently operating under these conditions are unfamiliar with how the rules should be applied. The opportunity now exists to clarify the operating principles.

### Recommendation

*18 The existing Conditions of Use for car users are obsolete and should be reviewed.*

### Implementation

Under current employment law it would be possible providing adequate notice is given, to make a unilateral change to employment contracts. Although the above proposals are workable, it would clearly be in the best interest of everyone if all those involved were prepared to voluntarily accept an amended contract. To this end and to minimise the impact of change, it may be advantageous to consider some form of incentive that may encourage officers to make the changes. There are a range of options available and although this may appear an unnecessary cost to the Service, in the overall context this would be minimal. Engaging the middle management will be fundamental to achieving the modernisation agenda and for little cost this could possibly ease the transition. Suggestions are:

- One off cash payment
- Revised car scheme, e.g. increased car allowance
- Mobile phone for all FDO's
- Personal laptop computer for each FDO.

## Conclusion

It is clear from the information provided that the FDS currently worked in LFRS can be amended to produce greater efficiencies. The fact that FDO's providing cover can fluctuate between 40<sup>+</sup> to on occasions below 12, indicates that there are times when there are surplus officers on duty. The number of managerial hours worked by officers is directly proportional to the number of hours s/he is available to provide standby cover. The existing system provides for approximately 34 managerial hours per week, which is less than required, plus 44 standby hours, which in excess of the flexible duty formula. This is the reason why there is an over provision of officers providing standby cover. The generous provision of mid-week rota days causes disruption to the organisation and is an obvious target area for change.

FDO's below the rank of DO should be divided into 5 groups of 8 officers. Under current arrangements 2 DO's are required and although this should continue, in the longer term further restructure could reduce this to 1 Area Manager. In the short term there should be 8 FDO's below the rank of DO, plus 2 DO's (10 officers in total). Dividing the existing 44 officers (below DO) across 5 groups will provide 4 officers as additional support. Changes should be linked to a review of training provided to junior officers to ensure all are competent to work as sector commanders within the ICS. The DO's and SDO's should be divided into 6 groups, each comprising of 2 officers. For this to function 12 officers are required, currently there are 16.

It has been recognised that a shortfall in officer provision is a rare occurrence, but does happen. Current arrangements for recalling officers to duty are not satisfactory and there is the provision within all options to develop a formalised structure. What must also be considered is the move towards a regional structure and with this in mind steps should be made to develop mutual aid schemes in respect of 'cross-border' officer mobilising.

Option 4 provides the most efficient utilisation of officers and as a consequence offers the potential for significant savings. However it is the view of the review team that this should be viewed as a long-term option.

M S Laws  
Chair of Review Team

## References

- National Joint Council For Local Authorities' Fire Brigades, Scheme of Conditions of Service (Fifth Edition 1998) (Grey book)
- National Joint Council for Local Authority Fire and Rescue Services, Scheme of Conditions of Service (Sixth Edition 2004) – Per Circular EMP/06/04
- Our Fire and Rescue Service, Cm 5808, HMSO Crown Copyright 2003
- Fairness at Work, Cm 3968, DTI, 1998
- Results of the First Flexible Working Survey, DTI April 2004
- IRMP Guidance Note 6, The Working Time Regulations 1998
- Summary of guidance note No 6, compiled by employment lawyer Richard Leiper
- The Working Time Regulations 1998 – Potential Changes to Shift Patterns within Cheshire Fire Service, Leiper, December 2003
- Croner's Health and Safety at Work (January 2004)
- Finding the Balance – NJC for Local Government Services (2001)

Letter to Local Government Association  
FAO: Derek Robertson

Lancashire Combined Fire Authority's IRMP Action Plan 2004/05 contains a commitment to review the day duty (nine-day fortnight) and flexible duty systems.

### **Day duty (nine-day fortnight) system**

#### **1. Number of hours worked**

It is intended that the full 42 hours will be readily available to the Authority

#### **2. Work patterns**

With a greater emphasis on work in the community and flexibility of approach in both fire safety and training, it is important that staff are available to work at the relevant times of day. In essence, this means that staff need to be available outside of typical 9 – 5 office hours so that they can more effectively undertake their respective functions e.g. community fire safety or retained training.

It is also anticipated that the opportunity to work more flexible hours may be attractive to staff in allowing them to co-ordinate their home and work commitments more effectively ('family-friendly')

### **Flexible duty system**

Officers conditioned to the flexible duty system in Lancashire Fire & Rescue Service work an average of 42 'managerial' hours per week and in addition are on call to attend urgent matters for up to an additional 36 hours per week.

It has become increasingly evident that managerial availability from Monday to Friday needs to be maximised in order to engage more effectively with a wide range of local partners whose work patterns revolve around traditional Monday to Friday arrangements.

The design of the current flexible rota in Lancashire is such that officers are required to work one weekend in every four. As a result of rota patterns, officer availability for managerial duties in the weeks preceding and following the duty weekend is severely disrupted.

Maximisation of flexible officer availability from Monday to Friday, therefore, will allow for greater interaction with like-minded partners in Local Authorities, on Local Strategic Partnerships and Crime and Disorder groups etc. In addition, a revised approach based on the principles outlined above will permit a greater alignment of uniformed/non-uniformed managerial availability.

## National Joint Council for Local Authority Fire and Rescue Services

### Scheme of Conditions of Service (Sixth Edition 2004)

#### SECTION 4 - CONDITIONS OF SERVICE FRAMEWORK

##### PART A - HOURS OF DUTY AND DUTY SYSTEMS

1. All working arrangements will operate on the basis that employees will undertake the duties appropriate to their role and be deployed to meet the requirements of the fire and rescue authority's Integrated Risk Management Plan. This may include a requirement to work at different locations. Full-time and part-time employees on any duty system are free to undertake retained duties where appropriate.
2. The conditions of service of part-time employees will be the same as those of full-time employees (pro-rata where appropriate) unless otherwise stated.
3. Duty systems will need to meet the requirements of the fire and rescue authority's Integrated Risk Management Plan. Any proposed system should be discussed with the recognised trade unions and be based on the following principles:
  - (1) Basic working hours should average forty-two per week (inclusive of three hours of meal breaks in every twenty-four hours) for full-time employees. Hours of duty should be pro-rata for part-time employees.
  - (2) There should be at least two periods of twenty-four hours free from duty each week.
  - (3) It should comply with relevant United Kingdom and European law, including the Working Time Regulations 1998, and Health, Safety and Welfare at Work legislation.
  - (4) It should have regard to the special circumstances of individual employees and be family friendly.
4. Where, following discussion, there is no agreement between the fire and rescue authority and recognised trade union over a proposed duty system (and it does not accord with the principles of any of the pre-existing national duty systems at paragraphs 7 to 15 below) the difference can be referred by either party to the NJC's Technical Advisory Panel. The Panel will be chaired by an Independent Expert (appointed on a three-yearly basis by the NJC), who will be assisted by the Joint Secretaries.
5. The Panel will seek to broker an agreement between the parties, but where that is not possible it will make recommendations. The Panel's recommendations will ensure that the duty system follows the four principles set out at paragraph 3 above and is compatible with the deployment of resources that the fire and rescue authority has determined is necessary to implement its Integrated Risk Management Plan. This process will be concluded within one month of reference to the Panel, or longer with the agreement of the parties. The parties will decide their responses to any recommendations from the Panel within fourteen days of receipt.

### **Pre-existing national duty systems**

6. The following duty systems shall continue to operate pending the introduction of any new systems under the terms of paragraphs 3 to 5 above.

*Shift duty system – not included*

7.

*Day-crewing duty system – not included*

8.

*Day duty system*

9. The hours of duty of full-time employees on this system shall be an average of forty-two per week. The hours of duty of part-time employees shall be pro-rata. The rota will be based on the following principles:
- (1) The normal working day shall cover the period of normal office hours.
  - (2) There shall be nine working days per fortnight, which shall fall on Mondays to Fridays.
  - (3) One hour per day shall be specified as a meal break.
  - (4) Where work (such as lectures and inspections of clubs) must necessarily be undertaken outside the normal working day, equivalent time off in lieu should be given during the normal working day.

*Flexible duty system*

10. This duty system applies only to employees in the roles of Station Manager and above.
11. The hours of duty of full-time employees on this system shall be as set out in paragraph 10 below. The hours of duty of part-time employees shall be pro-rata. Employees on this system shall perform two types of duty:
- (1) Managerial duty, which is rostered for operational command, managerial, supervisory and/or specialist duties appropriate to the employee's post (managerial duty is also known as 'positive hours').
  - (2) Standby/call-out duty, which is rostered so that the employee is available on call for the urgent performance of managerial duty and to perform those duties if called upon.
12. The rota will be based on the following principles:
- (1) The sum of the rostered managerial duty hours and the rostered standby/call-out duty hours, the latter divided by four, shall be forty-eight per week on average over a cycle not exceeding eight weeks.
  - (2) No rota shall contain more than five consecutive periods of twenty-four hours during which a duty of either type is performed.
  - (3) In any two-week period commencing on a Monday there shall be at least two pairs of rota leave days.
  - (4) Any period of standby/call-out duty shall be all or part of a period of twenty-four hours duty (starting at the normal starting time) and shall be rostered immediately before or immediately after a period of positive hours, unless it is an entire period of twenty-four hours standby/call-out duty.
  - (5) On any day on which managerial duty is performed, the hours for that duty shall be rostered consecutively except where an evening duty is required in addition to a normal day duty (for these purposes one meal break in each period of twenty-four hours will be treated as a period of managerial duty).

- (6) Travelling time to or from a rostered evening commitment of managerial duty shall itself count as managerial duty.
- (7) Rota leave shall be rostered no less frequently on a Saturday or Sunday than any other day of the week.
- (8) The total sum of managerial hours shall not average more than forty-two per week.
- (9) The sum of the weekly hours of both types of duty shall not exceed seventy-eight on average.

Further sections not included

# Appendix 3

## FLEXIBLE DUTY SYSTEM (Existing)

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Pos. Hr.	Stby Hr.	Total
<b>Week 1</b>	9	9	R	R	9	9	9	45	60	105
Stndby	15				15	15	15			
<b>Week 2</b>	R	R	9	9	9	R	R	27	30	57
Stndby			15	15						
<b>Week 3</b>	R	9	9	9	R	R	R	27	45	72
Stndby		15	15	15						
<b>Week 4</b>	9	9	9	9	R	R	R	36	45	81
Stndby	15	15	15							
Divided by no. of weeks								4		
(42hrs max.)								33.8	45	11.3
(48hrs max.)								45		
Add Pos. - Stby, Div 4								33.8	45	78.8
								Pos.	Stby	Pos + Stby

**OFFICER ACTIVITY LEVELS BY CALL SIGN FROM  
1 JANUARY – 31 DECEMBER 2003**

0001	4	0F01	0
0002	0	0F02	6
0003	1	0F03	39
0004	1	0H01	6
0110	82	0H02	13
0120	115	0H03	16
0300	150	0H04	14
0310	60	0H05	58
0320	80	0H06	13
0360	124	0H09	59
0370	126	0H11	41
0500	94	0N01	11
0510	73	0N02	64
0520	111	0N03	91
0530	109	0O01	3
0540	130	0O02	1
0550	89	0O03	19
0556	0	0O04	31
0560	97	0O06	29
0570	105	0P01	1
0700	123	0P02	77
0710	102	0P03	68
0730	100	0S01	2
0740	89	0S02	81
0760	81	0S03	100
0900	131	0S04	1
0940	168	0T01	3
0C01	10	0T02	20
0C02	54	0T03	14
0C03	57	0T04	46
0E01	15	0T05	20
0E02	87	0W01	6
0E03	94	0W02	68
		0W03	185

## **Flexible Working**

Parents of young children who have parental responsibility for a child under 6 years old as at 6th April 2003, (or under 18 years old if the child is disabled) and have at least 6 months service may request flexible working to enable them to care for the child. There is no specific right for a woman to change her working conditions, but there is a right for a request to be considered.

Employees may request the right to work flexibly, which may include:

- a request to work from home
- a change to hours of work
- a change to the times when an employee is required to work (e.g. term time only)

Using a statutory procedure, the employee must write to their employer explaining the change they are requesting, how it can be accommodated, and when they would like it to take effect.

The following is an example procedure for dealing with such requests (compliant with the Statutory requirements):

- 1 Employee writes to their Line Manager form to request consideration for flexible working setting out: -
  - a) the change requested
  - b) how it can be accommodated
  - c) timescales for implementation
  - d) how the child's relationship with the employee meets the eligibility requirements for flexible working
- 2 The employer must acknowledge receipt within 14 days (2 weeks) of receipt of the request.
- 3 A meeting should take place within 28 days (4 weeks) of the receipt of the request, to discuss it. Representatives may attend this meeting.
- 4 The employer must write to the employee within 14 days (2 weeks) of the meeting with a decision and the details of their decision, with a right to appeal.
- 5 The employee would have 14 days (2 weeks) to appeal against the decision if required.
- 6 The first appeal hearing would be heard within 14 days and a decision followed up in writing.

- 7 A final right of appeal could be offered to the employee to be considered within 28 days.

In the interests of finding a suitable solution, time limits may be extended by mutual agreement of the parties involved with due notice and with a specified date of response.

### **Reasons for rejection of approval**

The employer may only refuse a request for sound business reasons such as:

- a) additional costs burden
- b) detrimental effect on the ability to meet public demand
- c) inability to re-organise work amongst other staff
- d) inability to recruit additional staff
- e) insufficient work during periods when the employee proposes to work
- f) detrimental impact on quality of work
- g) detrimental impact on performance
- h) planned structural changes

The employee must be given the reason for rejection in writing. Care will need to be taken to ensure that refusal will not amount to race, sex or disability discrimination. Trial arrangements may be offered before making a final decision. In the case of failure of an internal appeal, the employee will be entitled to complain to an employment tribunal, but this tribunal will only review whether a statutory procedure was complied with, and will not make a judgement on any reason(s) for refusal.

There is no automatic right to return from e.g. part time to full time work.

## **A Summary of the IRMP Guidance Note 6 on the Working Time Regulations 1998**

The Regulations implement the Working Time Directive.

They provide for:

- A maximum average working week of 48 hours.
- A daily rest period of not less than 11 hours in each 24 hour period.
- A weekly rest of not less than 24 hours in a 7 day period or 48 hours in a 14 day period.
- A daily rest break of 20 minutes where the daily working time exceeds 6 hours.
- A maximum average limit for night work of 8 hours in a 24 hour period.
- Health assessments for night workers.
- Four weeks paid leave per year.

### **Definition of Working Time**

“Where a worker is working, at their employer’s disposal and carrying out their duties and activities.”

Examples:

- A firefighter summoned to active duty from standby at home.
- Attending training.
- Any time on duty on a station, including stand-down.
- Meal breaks.
- Travel outside normal rostered duty house, to and from duty at a place other than the normal place of duty eg travel to and from detachment to a fire station.
- Travel to and from training courses other than at the normal place of duty.
- Where work is performed away from the normal place of work on a basis agreed with the individual’s manager and the time is properly recorded eg welfare visits to workers at home or drafting a document at home.
- Where a worker is required to attend work related functions as part of their duties.
- Where a worker is spending agreed time carrying out trade union or health and safety responsibilities.

## **Exemptions and Derogations**

The Inevitable Conflict exemption under Regulation 18: This is where certain specific activities inevitably conflict with the Regulations and they do not apply. In other words, it would be impracticable to apply them in these types of situations. Agreements should be reached with the representative bodies on the categories of work which fall within this definition. The HSE have suggested that activities such as dealing with civil unrest, terrorism and natural or technological disasters inevitably conflict with the Regulations. Where the Fire Service has control over the timing and duration of a specific activity it is unlikely to attract this exemption. It is there to cover exceptional events.

The Unmeasured Working Time exemption under Regulation 20: This is where the duration of working time is not measured and can be determined by the workers themselves. The Guidance states that the Chief Fire Officer and other Principal Officers fall within this definition and those flexi duty officers who have the discretion whether or not to attend incidents and to determine at what point they leave that duty.

The Continuity of Service exemption under Regulation 21: This is where there is a need for continuity of service or there are exceptional events or an accident or an imminent risk of accident. Compensatory rest must be given.

## **Collective Agreements**

Collective Agreements can be made to modify or exclude certain provisions and to extend reference periods. Where a worker is required to work through a rest period or rest break, the employer must provide compensatory rest and collective agreements can contain provisions relating to when this can be taken. If possible, this should be taken immediately after the work period which deprived the worker of his entitlement other wise it should be taken as soon as is reasonably practicable.

## **Opting-Out**

Staff wishing to waive the application of the 48 hour weekly working limit and to work more than 48 hours per week should be asked to sign an agreement to this effect. An example waiver agreement is attached to the Guidance.

### **The 48 hour Weekly Limit**

A worker must not exceed 48 hours for each 7 day period over a 17 week reference period. The reference period can be extended by collective agreement to 26 weeks where there is a need for continuity of service. This could be used where shift patterns cannot be arranged over the 17 week period to comply with the 48 hour limit. It can be further extended to 52 weeks by collective agreement where there are technical or objective reasons.

- Individuals who want to work more than 48 hours should be asked to sign a waiver or “opt-out”.
- The 48 hour limit will not apply where either the “inevitable conflict” exemption applies to the activity the worker is engaged in or where the “Unmeasured Working Time” exemption applies to the worker because of his role.
- Overtime and hours worked for secondary employers are included in the calculation.

### **The 11 hour daily rest period**

- This does not apply where the “Unmeasured Working Time” exemption applies to the worker involved or where the “Inevitable Conflict” exemption applies to the activity in question.
- The continuity of service exemption could apply, but compensatory rest has to be given.
- The 11 hour rest period can be varied by collective agreement but compensatory time off must be given. The employer must provide the worker with an equivalent compensatory rest period for the rest time the worker has missed and this should be given as soon as reasonably practicable.
- Where, at the change of shifts, a shift worker cannot take the daily rest of 11 hours before the start of the next shift, the entitlement to the rest period between shifts does not apply, although equivalent compensatory rest must be given. This must be given as soon as is reasonably practicable. The shift patterns set out in the Grey Book form part of a collective agreement and provide for a variation where the period between night shifts is less than 11 hours. The shift patterns also allow the compensatory rest to be taken at the end of the final shift in the pattern, rather than immediately after the rest period which has been missed.
- Full-time workers wishing to undertake retained duties or overtime are entitled to this daily rest period.

### **The Weekly rest period of 24 hours**

- The same exemptions apply as for the Daily Rest.
- Shift patterns within the Grey Book allow this Weekly Break.

### **Rest Breaks**

- Details can be agreed by collective agreement.
- The “Unmeasured Working Time” exemption could disapply the rest break.
- Adequate provisions for rest breaks are not included in the Grey Book.

### **Night Work**

- Night time in relation to a worker means a period of at least 7 hours which includes the period from midnight to 5am, usually taken to be from 11pm to 6am.
- A night worker is someone who works at least 3 hours between 11pm and 5am in a normal course. A firefighter on a 2-2-4 or similar shift pattern will qualify as a nightworker.
- The maximum average limit for night work is 8 hours in a 24 hour period.
- If the night work involves special hazards or heavy physical or mental strain, the 8 hour limit is absolute and cannot be averaged out. The National Guidance states that the 8 hour absolute limit does not apply because the risk to firefighters is reduced or removed by procedures and Personal Protective Equipment.
- The normal hours of night work should not exceed an average of 24 hours over a 17 week period unless this limit is varied by collective agreement.
- The “Inevitable Conflict”, “Unmeasured Working Time” and “Continuity of Service” exemptions can be applied where appropriate.
- Free health assessments must be offered to night workers before they start night work and at regular intervals (yearly).
- This can be done by an annual questionnaire and completed questionnaires must be checked by qualified members of staff at OHU. Free health checks are offered to staff by OHU.

### **Record Keeping**

- Adequate records of average normal weekly working time, daily working time and health assessments must be made and kept for at least 2 years to comply with the Regulations. Records should be kept for a longer period for other reasons outside the Regulations eg they will be required in the event of litigation.
- No need to set up a separate record where there are already systems in place recording contracted hours eg payroll, sickness and leave records. Exceptional hours worked over and above contracted hours should be recorded eg casual overtime, secondary employment.
- These records should be periodically monitored.
- The Guidance Note contains a checklist agreed with the HSE on the record keeping requirements for each category of staff.

### **Secondary Employment**

- Employers must take reasonable steps to ensure that workers do not exceed an average of 48 hours per week. Where the worker has more than one job each employer must make reasonable enquiries to determine how many hours are worked in the 7 day period. Hours worked on a self-employed basis do not count as working time for these purposes.
- If the total exceeds 48 hours they should be asked to sign waiver agreements with each employer or employers should take steps to reduce the total number of hours worked.
- Where a worker refuses to sign a waiver agreement, the employer must take all reasonable steps to ensure the weekly working limit is not exceeded, which may mean a reduction in hours.
- The same principles will apply to overtime.

### **Retained Duty System**

- A worker on the retained duty system should inform the fire service of the number of hours worked for their main employer and, unless a waiver is signed with both employers, his hours should be limited so as not to exceed the 48 hour limit. He should also inform his main employer of the hours worked for the fire service.
- The fire service should allow the retained worker to take the other rest breaks and rest periods, even though they may choose not to take them. Alternatively, they could be required to take their rest period or rest break before they report for duty or start a shift to avoid interruption.
- The fire service should also ensure that retained workers in other employment are provided with adequate rest periods following work for them.

## LANCASHIRE FIRE AND RESCUE SERVICE

### MEMORANDUM

**From:** ADO RONSON  
**Ext:** 21164  
**Our Ref:**  
**Date:** 10/06/04

**To:** D O LAWS  
**Your Ref:**  
**cc:**

**SUBJECT** RECOVERY TIME FOR FLEXIBLE DUTY OFFICERS

As part of the review of the Day Duty (nine-day fortnight) and Flexible Duty Systems project a survey on recovery time taken by Flexible Duty Officers following an attendance at incidents during standby hours has been conducted.

The selection criteria of incidents included within the survey was:

- Incidents occurring in this last quarter - April to June 2004.
- Requiring 4 pumps or more.
- Occurring during the Standby hours of a FDO

In total 11 incidents were analysed. However due to annual leave periods, feedback could only be obtained from 9 of the incidents identified. The length of time that the Flexible Duty Officer was in attendance varies considerably. The longest time being 7.5 hours and the shortest time 2.25 hours. The incidents analysed were:

42001005	SEFTON STREET, BRIERFIELD, NELSON	PENNINE
42001844	ACRE MILL, ACRE MILL ROAD, BACUP	PENNINE
42002457	LUNE INDUSTRIES, FLEETWOOD	NORTHERN
42100303	SURESTART, MERESIDE, BLACKPOOL	WESTERN
42101173	NIGHTINGALE HALL FARM, LANCASTER	NORTHERN
42101811	DRUMHEAD ROAD, CHORLEY	SOUTHERN
42102716	BLACKPOOL PLEASURE BEACH	WESTERN
42102879	BADGERS WAY, BAMBER BRIDGE	CENTRAL
42200654	STATION ROAD, BAMBER BRIDGE	CENTRAL

In total 14 Flexible Duty Officers were contacted and the following questions asked.

1. Was recovery time taken immediately following the incident that they attended?
2. Generally what use do they make of the recovery time facility?
3. Have they or would they consider booking off call to recover from a busy period?

All 14 Flexible Duty Officers stated that on the occasions identified they did not take recovery time immediate following the incident. In response to question two 4 Flexible Duty Officers said that they had never taken recovery time following an incident. Six other Flexible Duty Officers said that they generally return to work at the normal time to fulfil appointments or clear their desk, leaving their workplace around 4pm. In fact 5 of these did this following their incident (above). The 4 remaining Flexible Duty Officers said that they had took recovery time in the past and that they

would do so again should they feel that it was necessary. Of the 14 Flexible Duty Officers questioned, only 3 said that they had either asked Control not to give them the first call following a busy period or had booked off call.

The research carried out is by no means scientific nor can the results be considered comprehensive. They represent a snapshot of the additional hours that Flexible Duty Officers work when standby hours are converted to managerial hours when they attend incidents.

Kyran Ronson  
Assistant Divisional Officer

## Appendix 8

	SDO	DO I	DO II	ADO	STNO	TOTAL
Planning & Performance Review			1	1		2
Operational Risk Management	1		1	1		3
Hydrants				1		1
Communications			Vacant	1		1
Fire Risk Management	1		1			2
Community Fire Safety				1		1
Engineering & Transport			Excluded	Excluded		0
Health & Safety				1		1
Training Centre			1	1		2
Training Dept	1		1	1		3
CENTRAL AREA HQ		1		2		3
C50 Preston (42)				1		1
C52 Fulwood (DC & R)					1	1
C53 Bamber Bridge (42 & R)					1	1
C55 Leyland (DC)					1	1
C57 Penwortham (42)					1	1
EASTERN AREA HQ		1		2		3
E70 Accrington (42)				1		1
E71 Blackburn (42)				1		1
E76 Darwen (42 & R)					1	1
NORTHERN AREA HQ		1		2		3
N11 Lancaster (42)				1		1
N12 Morecambe (42 & R)					1	1
N32 Fleetwood (42 & R)					1	1
PENNINE AREA HQ		1		2		3
P73 Bacup (DC & R)					1	1
P74 Rawtenstall (42 & R)					1	1
P90 Burnley (42)				1		1
P94 Nelson (42 & R)					1	1
SOUTHERN AREA HQ		1		2		3
S51 Ormskirk (DC & R)					1	1
S54 Chorley (42 & R)					1	1
S56 Skelmersdale (42 & R)					1	1
WESTERN AREA HQ		1		2		3
W30 Blackpool (42)				1		1
W31 Bispham (42)					1	1
W36 St Annes (42 & R)					1	1
W37 South Shore (42)					1	1
<b>TOTAL</b>	<b>3</b>	<b>6</b>	<b>5</b>	<b>26</b>	<b>16</b>	<b>56</b>

<b>Temporary Establishment</b>		DO I	DO II	ADO	STNO	TOTAL
Strategic Staff Officer			1			1
Control Commander				1		1
Integrated Risk Management			1			1
New Dimensions				1		1
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>4</b>

<b>TOTAL-ALL</b>	<b>0</b>	<b>6</b>	<b>7</b>	<b>28</b>	<b>16</b>	<b>60</b>
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## LANCASHIRE FIRE AND RESCUE SERVICE

### REPORT FROM OPERATIONS TASK SUB GROUP

**From:** DO Owen  
**Ext:** 6931  
**Our Ref:**  
**Date:** 25/4/04

**To:** DO Laws  
**Your Ref:**  
**cc:**

**SUBJECT: FDO MOBILISING ARRANGEMENTS**

Updated from original paper prepared 13/9/03

Further to our discussions, this is a copy of the report compiled by the sub group working on behalf of the Operations Task Group. The paper was presented to the Task Group on 1st October 2003 and comments received from the Group have now been incorporated into the report. The passage of time since the report was first formulated (my apologies for the delay) has seen other changes, which I have also reflected on; this includes the draft Fire and Rescue Services Bill. In addition I have dealt briefly with the DCFO request (of the 30 October 2003 by email) to reflect the changes from ranks to roles. My suggestions are included as an addendum to this report.

If there is anything further I can do please ask.

At the last meeting of the Operations Task Group a sub group was set up and tasked with *reviewing the current service order relating to the mobilisation of officers (SO/Ops/150) in light of the Incident Command System*. The sub group consisted of DO Owen, ADO Mullin and ADO Cox.

The full group is asked to consider the following report.

Prior to meeting on 2/9/03 the following service orders were examined carefully by the sub group:

Ops Order 40 *Command and Control at Incidents*  
Ops Order 140 *Major Incidents*  
Ops Order 150 *Mobilising*  
Ops Order 500 *Incident Command Operational Guidance and Policy Document*

The group determined an approach to the task that involved asking:

- 1. What are the normal requirements of a fire service?**  
Deciding arbitrarily what could be construed to be normal requirements placed on an adequate fire service for Lancashire.
- 2. Do we have sufficient on-duty officers for such requirements?**  
Testing whether the present standard mobilising arrangements could be met at minimum officer cover levels.
- 3. Are we clear as to how the Incident Command System (ICS) should be applied?**  
Examining the requirements of the Incident Command System and developing some principles of application that are not currently described by service orders.

**4. Can ICS be adequately resourced by present officer cover arrangements?**

Testing Incident Command System incident models against standard officer mobilising arrangements.

**5. What role should SDO's play?**

The mobilising arrangements currently detailed do not recognise the role of SDO's. At what type of incidents should SDO's become involved or take charge?

The group arrived at the conclusion that the current mobilising arrangements are sufficient for the *assumed* requirements of Lancashire County and therefore much of the detail of SO Ops/150 was correct. It also identified:

- a more defined role for SDO's,
- and conflict between existing service orders.

ADO Cox is currently redrafting the SO Ops/150 and the sub group will continue to assist him as required.

**1. What are the normal requirements of a fire service?**

The Fire Service Act 1947 requires fire authorities to secure '*the services for their area of such a fire brigade and such equipment as may be necessary to meet efficiently all normal requirements.*'

The draft Fire and Rescue Services Bill also re-iterates the need to meet 'normal requirements':

*'Clause 7: Fire-fighting*

- (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 section (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; . . .*

After discussion regarding each member's experience of incidents it was decided to *assume* a maximum normal activity level to which the ICS could be applied. Our assumption was two simultaneous ten pump incidents or one twenty pump incident. An attempt was made later to evidence quantitatively our assumption. ADO Cox investigated the number of incidents involving three or more pumps during the calendar years of 2002 and 2003 (see appendix 2). This proved to be an extremely labour intensive operation due to the shortcomings of our current mobilising software systems.

Whilst acknowledging that statistics covering a broader period are desirable, based on the statistics provided:

- There was only one 20 pump incident during the two years and 14 incidents requiring 10 or more pumps.
- There were 155 incidents of 4 or more pumps and 14 incidents of 10 or more pumps during the two year period.

- An incident requiring 4 or more pumps occurs on average once in every 5 days and an incident requiring 10 or more once in every 52 days.
- On no occasion during the two years did the County experience simultaneous 10 pump fires.

The accuracy of our assumption is open to debate, however, what is clear is that if this assumed activity level was increased at minimum officer cover levels it would quickly become necessary to consider recalling officers to duty.

## **2. Do we have sufficient on-duty officers for such requirements?**

Minimum officer cover levels frequently occur at weekends, which ADO Cox reported can sometimes prove problematic for control room staff. Minimum officer cover levels are currently set at:

- 1 ACO or SDO (Principal Officer)
- 2 divisional officers, one of whom will be the duty DO who cannot be on duty on their own in an Area.<sup>1</sup>
- 10 other ranks including 3 assistant divisional officers.

This means 12 ranks from station officer and above. The standard mobilising arrangements are detailed in Ops 150 Mobilising, section 5:

<b>Table 1</b>				
No of pumps	Stn O	ADO	DO+	Total
3	1			1
4-6	1	1		2
7-10	2	1	1	4
Over 10	4	2	1	7

In considering the table above you should note:

- These officers are to include any that have already attended.
- Standard mobilising arrangements are assumptions as to officer requirements in relation to set numbers of appliances in attendance. They are laid down to allow Control to mobilise at a time when officers on the incident ground are possibly under pressure.

Section 5.2 currently states “the implementation of the Incidents Command System will inevitably require an increased attendance and incident commanders must make such a request as soon as possible.”

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<sup>1</sup> It should be noted that, by agreement, an officer of a higher rank can be used as a lower rank: for example, a divisional officer could function as an assistant divisional officer for a period, just as a divisional officer can provide cover as a senior divisional officer for a period.

With two 7-10 pump incidents occurring simultaneously, applying the standard mobilising arrangements Control would send on:

<b>Table 2</b>		
Incident 1	Incident 2	Unutilised officers at minimum cover level:
2 Stn O	2 Stn O	3 Stn O
ADO	ADO	1 ADO
DO+	DO+	

### **3. Are we clear as to how the Incident Command System (ICS) should be applied?**

The ICS is still relatively new to the Service and operating the system opens up new questions. In order to apply the system with a degree of consistency and allow us to run incident models that were comparable, the group arrived at a number of principles of operation that are not currently detailed in Service Orders:

- a) During the operation of the ICS the sector commander should not be a crew commander also.
- b) The sector commander can be drawn from officers currently committed in a sector area provided that there is still one crew commander per crew in the area.
- c) A junior officer could be a sector commander where there were only two spans of communication. This would normally mean two crews working.<sup>2</sup>
- d) A station officer could be a sector commander where there was up to three spans of communication.
- e) Where there were more than three spans of communication the sector commander would be a flexi duty officer.

As with standard mobilising arrangements for officers, these are generic assumptions. The incident commander should take into account the number of spans of control when determining by risk assessment the rank of a sector commander. In less dynamic incidents or sectors the number of spans of control may be increased; an example might be when commanding an established water relay. In any given incident, the risk assessment of the incident commander *may* tie in with these assumptions or depart from them.

### **4. Can ICS be adequately resourced by present officer cover arrangements?**

A number of incident models were run by board exercises using different numbers of pumps in attendance and crews within sectors. Allowance was made for *some* support sectors such as BA or Water and the operating principles described above were applied in each case. Throughout, the present mobilising arrangements using minimum officer cover were found to satisfy the ICS up to the assumed normal level of operations.

It should be noted that the addition of strategic, tactical and operational controls – ‘gold, silver and bronze’ - could at very large multi service incidents prove problematic. The Fire Service Manual *Incident Command*, identifies sector commanders as bronze commanders in interservice operations

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<sup>2</sup> This could mean a leading firefighter in charge of two crews. Whilst standard procedures would dictate that the crews should be commanded by a sub officer, there are currently many occasions where two pump attendances are commanded by leading firefighters prior to the arrival of a flexi duty officer.

and the incident commander ordinarily as the silver commander. In a recent exercise carried out with regard to British Nuclear Fuels<sup>3</sup> it was felt that the ideal number of officers to be employed in the system would be nine. However, one might assume that should an incident have escalated to a 'Gold' level event, it is entirely probable that the fire incident commander would be a principle officer and a lower ranking officer would be sent to act as liaison at 'Gold'.

Members of the Group are encouraged to run board exercises themselves to test the sub group's findings. A number of incident configurations photocopied from the Home Office Manual<sup>4</sup> are included with this report.

## 5. What role should SDO's play?

Since June 2003, the senior divisional officers have been included on the principal officers duty group. The rota recognises the following codes:

P Principal officer cover  
CS SDO cover  
CP Senior op/principal cover

As can be seen from the codes, a principal officer can give both senior operations cover and principal officer cover at the same time. The service order Ops/150 at section 5.4 (see appendix 1 to this report) states that duty senior divisional officers and above should be *informed* of all incidents of eight pumps or more and some other forms of incident. It does not distinguish between the roles of senior operations cover and principal officer cover.

It is suggested that the senior operations officer should continue to be informed of all incidents currently listed in section 5.4 and, should *attend* all incidents in excess of 10 pumps and take command where the incident requires the inclusion of an operations commander (who will be the DO already present). Principal officers should continue to be informed as per section 5.4.

We are not suggesting that senior operations officers should be required to *take command* at all incidents over 10 pumps, only that it is appropriate that they arrive at the incident to make the assessment of whether to take command rather than to make the decision remotely. This is in effect similar to the situation that occurs at lower ranks; for example, an ADO would be required to attend a 'persons reported' incident but on arrival might decide it is unnecessary to take command.

Table 1 in section 2 would then read:

No of pumps	Stn O	ADO	DO	SDO*	Total
3	1				1
4-6	1	1			2
7-10	2	1	1		4
Over 10	4	2	1	1	8

\*The SDO may be a PO giving senior op/principal cover.

<sup>3</sup> Exercise Heron 2 BNFL

<sup>4</sup> Fire Service Manual, Volume 2, Fire Service Operations, *Incident Command*, HM Fire Service Inspectorate Publications Section, 2002

## **6. Service Orders**

Currently there appears to be some conflict between Ops Order 40 *Command and Control at Incidents* and Ops Order 500 *Incident Command Operational Guidance and Policy Document*. It would appear appropriate to withdraw Ops Order 40.

## **7. Conclusion**

This report provides evidence to suggest that the current mobilisation arrangements for fire officers can be assumed to be adequate for the application of the ICS at the point of lowest officer cover. We do however stress that the successful application of the ICS in minimum officer cover circumstances can only be confirmed post incident, when the incident commander's risk assessments are taken into account. There may be occasions where certain incidents are found to be extremely dynamic and require very short spans of control. Our developing experience of applying the system will confirm or change our conclusions.

The mobilisation arrangements make assumptions to speed up the process of officer deployment without guidance from the incident ground. The process of dynamic risk assessment should be relied on to make less rigid the process of initial deployment of officers for incident command. And to emphasise the point, this is a quote from the Fire Service Manual *Incident Command*:<sup>5</sup>

*“There are many cases where the roles overlap out of necessity. Common sense dictates that if a decision of a tactical nature has to be taken when only an officer of junior rank is in attendance, it will be taken. Equally, someone operating at tactical level will not overlook an urgent operational issue that arises that can be easily dealt with, merely on the grounds that it is not an appropriate task for their command level.”*

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<sup>5</sup> Fire Service Manual, Vol 2, Fire Service Operations, *Incident Command*, pg 8, HM Fire Service Inspectorate Publications Section.

## Appendix 1

SO/Ops/150

### 5.3 NOTIFICATION TO SUPERVISORY OFFICERS

An appropriate Divisional Supervisory Officers (ie Assistant Divisional Officer and above) **must proceed** to the following incidents and situations.

- calls of any type where persons are reported trapped or injured (other than of a minor nature) or there is a fatality - life saving and rescue operations;
- calls from which an assistance message is received which brings the attendance to four pumps or more;
- fire calls to premises where an attendance has been made within the previous 24 hours;
- any request from an incident for the advice or assistance of a senior officer;
- serious accidents involving Fire and Rescue Service appliances or vehicles;
- serious accidents or incidents at which Fire Service personnel sustain injuries;
- notification of damage to Fire Service premises by third parties, where the Officer in Charge thinks it is appropriate.
- where officer cover in the Division falls below the minimum requirements;
- any other matters where there is doubt on the correct action required.

### 5.4 NOTIFICATION TO SENIOR DIVISIONAL OFFICERS AND ABOVE

Duty Senior Divisional officers and above should be informed of all

- incidents of eight pumps or more and incidents where there are fatalities, or there is a serious injury to fire service personnel, and on the declaration of Operation Merlin (Multi Agency Response).
- All other incidents of an unusual or political nature the Mobilising Officer will use their judgement.

**Appendix 2**

**NUMBER OF INCIDENTS 3 PUMPS AND ABOVE DURING 2002 AND 2003  
(CALENDAR YEARS)**

Number of pumps attending	2002		2003	
	Number of occurrences	1 every ( ) days	Number of occurrences	1 every ( ) days
3	69	5	101	4
4	36	10	51	7
5	14	26	15	24
6	7	52	12	30
7	0	0	1	366
8	2	183	3	122
10	1	366	9	40
12	1	366	1	366
15-20	(15 pump) 1	366	(20 pump) 1	366
4 to 8	59	6	82	4
6 to 8	9	41	16	23
10 and over	3	122	11	33
<b>Total</b>	<b>131</b>	<b>3</b>	<b>194</b>	<b>2</b>

<b>Combined Totals for 2002 and 2003</b>	
No of pumps attending	1 every ( ) days
4-8	5
6-8	29
3 and over	2
4 and over	5
10 and over	52

## Addendum to Report

### Parallel ICS Structure based on the IPDS Role Based Structure

On 30/10/03 the DCFO requested that:

*“ . . . the group dealing with SD50b to produce a parallel ICS structure based on the seven roles [of IPDS].”*

Since his request, the content of this Sub Group report has become important in one of the projects forming part of the Integrated Risk Management Plan 2004/05. In light of the short time periods involved and other pressing issues, this is only a short consideration of the subject.

The seven roles referred to were agreed by the NJC in 1998 and confirmed in the Fire Service Pay and Conditions Agreement 2003. The roles are:

- Firefighter
- Crew manager
- Watch manager
- Station manager
- Group manager
- Area manager
- Brigade manager

To show how these roles might fit with the ICS and the assumptions made by the Group about the application of the system I have reproduced some information from the report as follows.

#### **Section 2:**

<i>Parallel Roles:</i>	<i>Watch manager B</i>	<i>Station manager B</i>	<i>Group manager B+</i>	
No of pumps	Stn O	ADO	DO+	Total
3	1			1
4-6	1	1		2
7-10	2	1	1	4
Over 10	4	2	1	7

#### Note

- (a) These officers are to include any that have already attended.
- (b) Standard mobilising arrangements are assumptions as to officer requirements in relation to set numbers of appliances in attendance. They are laid down to allow Control to mobilise at a time when officers on the incident ground are possibly under pressure.

Table 1 from section 2 when amended to reflect the Group’s recommendation about deployment of SDO’s would read:

<i>Parallel roles</i>	<i>Watch manager B</i>	<i>Station manager B</i>	<i>Group manager B</i>	<i>Area manager B</i>	
No of pumps	Stn O	ADO	DO	SDO*	Total
3	1				1
4-6	1	1			2
7-10	2	1	1		4
Over 10	4	2	1	1	8

\*The Area Manager B may be a PO giving senior op/principal cover.

**Section 3:**

**3. Are we clear as to how the Incident Command System (ICS) should be applied?**

The ICS is still relatively new to the Service and operating the system opens up new questions. In order to apply the system with a degree of consistency and allow us to run incident models that were comparable the group arrived at a number of principles of operation that are not currently detailed in Service Orders:

- f) During the operation of the ICS the sector commander should not be a crew commander also.
- g) The sector commander can be drawn from officers currently committed in a sector area provided that there is still one **crew manager** per crew in the area.
- h) A **crew manager** could be a sector commander where there were only two spans of communication. This would normally mean two crews working.
- i) A **watch manager B** could be a sector commander where there was up to three spans of communication.
- j) Where there were more than three spans of communication the sector commander would be a **station manager A** as a minimum.

As with standard mobilising arrangements for officers, these are generic assumptions. The incident commander should take into account the number of spans of control when determining, by risk assessment, the rank of a sector commander. In less dynamic incidents or sectors the number of spans of control may be increased; an example might be when commanding an established water relay. In any given incident, the risk assessment of the incident commander *may* tie in with these assumptions or depart from them.

## Examination of National Occupational Standards and Development Modules in relation to Incident Management

### National Occupational Standards.

There are only two units which describe the incident management function contained in the NOS

### Unit WM7 Lead and support people to resolve operational incidents.

#### Applicable to Crew Manager & Watch Manager

This unit consists of four elements:-

- WM7.1 Plan action to meet the needs of the incident
- WM7.2 Implement action to meet planned objectives
- WM7.3 Close down the operational phase of incidents
- WM7.4 Debrief people following incidents

The description of these elements includes

- Single and multiple teams
- Initial deployment and re-deployment
- WM7.1 b) you plan action to lead and support your crew's response to the incident.

### Unit EFSM2 Lead, monitor and support people to resolve operational incidents.

#### Applicable to Station Manager, Group Manager, and Area Manager

This unit consists of three elements:-

- EFSM2.1 Review and determine incident status
- EFSM2.2 Assume responsibility and implement action to support those involved in the incident
- EFSM2.3 Debrief following resolution of incident

There are eleven modules in the Development Module Database which relate to Incident management.

Module		Management Role				
		Crew	Watch	Station	Group	Area
008	Incident Command 1 – Initial response and management	X	X			
027	Incident Command 2 – Monitoring and/or taking control			X	X	
028	Incident debriefs – reviewing performance		X	X	X	
045	Incident Command - strategic					X
048	Environmental risks and control	X	X	X	X	X
056	Hazards and risks – buildings and structures	X	X			
057	Dealing with transport incidents	X	X			
058	Dealing with fire incidents	X	X			
059	Dealing with HAZMAT incidents	X	X			
060	Save and rescue endangered life	X	X			
061	Treat casualties and support people at incidents	X	X			

It would appear that the main distinction made in the Development modules is in level or type of incident command. This is reflected in the scope of the Incident Command modules

i.e.

- 08 This module includes skills involved in planning and managing operational incidents. This includes pre-planning, implementation of plans and adjustment of plans to meet changing priorities of the incident.
- 27 This module is about skills and knowledge in monitoring and/or taking control at an incident in progress. It includes:
- Collecting information on the incident status and current plans to resolve
  - Supporting current incident commander to resolve the incident
- This may include taking over command of the incident as demanded by the level of risk and/or complexity of the developing incident.
- 45 This module is about the skills and knowledge required to strategically manage operational incidents. It includes:-
- Collecting information on the incident status and current plans to resolve
  - Supporting incident command team/multi agency teams to resolve the incident
  - Strategic decision making in liaison with other agencies
- This may include taking over command of the incident as demanded by the level of risk and/or complexity of the developing incident.

## **Conclusions**

There seems to be only 2 levels of incident command identified in the NOS and DMD

- 1 OIC of first attendance
- 2 OIC of incident where level of risk and/or complexity of the incident warrants a more senior officer taking over.

**Operational Activity from 1<sup>st</sup> April 2002 to 31<sup>st</sup> March 2003**

**Total Incidents – 28989**

Number of Pumps	Number of incidents	% of Total (28989)
3 to 6	177	0.61
7 to 10	8	0.02
More than 10	4	0.01
Simultaneous incidents	13	0.04

**Simultaneous incidents ( see below) - 13**

39401671- more than 10 pumps and 39401651-3 to 6 pumps

39702050- more than 10 pumps and 39702160-3 to 6 pumps and 39702165-3 to 6 pumps

39700603- 7 to 10 pumps and            39700653-3 to 6 pumps

39400036- 3 to 6 pumps and            39400097-3 to 6 pumps

39500734- 3 to 6 pumps and            39500738-3 to 6 pumps

39503549- 3 to 6 pumps and            39503559-3 to 6 pumps

39601558- 3 to 6 pumps and            39601562-3 to 6 pumps

39602339- 3 to 6 pumps and            39602342-3 to 6 pumps

39804124- 3 to 6 pumps and            39804151-3 to 6 pumps

40001671- 3 to 6 pumps and            40001680-3 to 6 pumps

40203035- 3 to 6 pumps and            40203038-3 to 6 pumps

40600267- 3 to 6 pumps and            40600272- 3 to 6 pumps

40601219- 3 to 6 pumps and            40601225- 3 to 6 pumps

**Operational Activity from 1<sup>ST</sup> April 2003 to 31<sup>st</sup> March 2004**

**Total Incidents - 31306**

Number of Pumps	Number of incidents	% of Total (31306)
3 to 6	212	0.68
7 to 10	9	0.03
More than 10	5	0.02
Simultaneous incidents	8	0.03

**Simultaneous incidents (see below) - 8**

41104584- More than 10 and      41104553- 3 to 6 pumps  
 41101251- 7-10 pumps and      41101242- 3 to 6 pumps  
 41301472- 7-10 pumps and      41301486- 3 to 6 pumps  
 40702635- 3 to 6 pumps and      40702729- 3 to 6 pumps  
 40900321- 3 to 6 pumps and      40900326- 3 to 6 pumps  
 41001046- 3 to 6 pumps and      41001056- 3 to 6 pumps  
 41501085- 3 to 6 pumps and      41501086- 3 to 6 pumps  
 41703084- 3 to 6 pumps and      41703087- 3 to 6 pumps

Information recorded on the AssetCo MIS.

The 2<sup>nd</sup> criteria used to define the incident as simultaneous is: TOC has been received on a second incident prior to the stop message being received on any other incident showing 3 or more pumps.

*(Source LFRS Statistics Dept – June 2004)*

## LANCASHIRE FIRE AND RESCUE SERVICE

### MEMORANDUM

**From:** ADO RONSON  
**Ext:** 21164  
**Our Ref:**  
**Date:** 10/06/04

**To:** D O LAWS  
**Your Ref:**  
**cc:**

**SUBJECT** UTILISATION OF WATCH BASED OFFICER AT MULTI-PUMP INCIDENTS

As part of the review of the Day Duty (nine-day fortnight) and Flexible Duty Systems project a survey of the roles given to watch based officers whilst attending multi-pump incidents has been conducted.

The purpose of this survey was to identify how watch based officers are currently utilised at such incidents and to ascertain whether there is scope for a more efficient and appropriate use of personnel. The selection criteria for incidents within the survey was:

- Incidents occurring in this last quarter - April to June 2004.
- Incident requiring an attendance of 4 pumps or more.

In total 8 multi-pump incidents were analysed and 52 watch-based officers questioned (9 Station Officers, 24 Sub Officers and 17 Leading Firefighters). The numbers of appliances in attendance for each incident varies considerably. The largest number of pumps being 20 and the smallest number just 4. The incidents analysed were:

42001602	NORTH WEST CONTAINERS, BLACKBURN	EASTERN
42001844	ACRE MILL, ACRE MILL ROAD, BACUP	PENNINE
42002457	LUNE INDUSTRIES, FLEETWOOD	NORTHERN
42003114	HIGHFIELD WORKS, BLACKBURN	EASTERN
42003701	BRIERLEYS FURNISHINGS, GARSTANG	NORTHERN
42100303	SURESTART, MERESIDE, BLACKPOOL	WESTERN
42101811	DRUMHEAD ROAD, CHORLEY	SOUTHERN
42102716	BLACKPOOL PLEASURE BEACH	WESTERN

The discussion with each Officer was based around the following questions:

1. On arrival at the incident what role did you initially perform?
2. What other roles did you carry out during your attendance at the incident?
3. Were you comfortable with your contribution or did you feel under utilised/over burdened?

Their responses, which are listed below, are separated by rank. Each list sub divided into roles that are considered appropriate for that rank and those where it is considered that the individual has been under utilised.

## STATION OFFICERS

Initial Officer in Charge of the incident and then utilised as a Sector Commander on the arrival of a Flexible Duty Officer. (x3)

Initial Officer in Charge of the incident and then utilised as the Operations Commander on the arrival of a Flexible Duty Officer.

Water Officer for the incident

Appointed as a member of the Fire Investigation Team

Responsibility for the delivery of press statements at the incident

Responsibility for dealing with environmental issues

Initial officer in charge of incident but left without a specific role on the arrival of a Flexible Duty Officer

## SUB OFFICER

Initial Officer in Charge of the incident and then utilised as a Sector Commander on the arrival of a Flexible Duty Officer. (x6)

Sector Commander (unofficially-incident not sectorised).

Water Officer (x2)

BA Sector Commander

Responsibility for carrying out Risk Assessments

Safety Officer

Commander of the Rendezvous Point

Organised the delivery of water to the fireground

Command of 2 crews working within a Sector (not Sector Commander)

Command of a BA team (x2)

Command of own crew firefighting

BA wearer - team of two (x2)

Directing appliances to the fireground

No specific role – general duties (x4)

Worked within a crew

Operated a jet into the building

Run out several lengths of hose

## LEADING FIREFIGHTER

Sector Commander (x3)

Safety Officer (x2)

Command Support

Briefing Officers as they came on to the fireground

BA team leader

Crew Commander establishing a FMB

Formed part of a crew setting into water (x3)  
Used as a Firefighter – no specific role (x8)  
Driver of an appliance and pump operator (x3)  
Run out lengths of hose  
Branch operator  
Worked in a crew under another Leading Firefighter  
Utilised as a runner for a Senior Officer

The research carried out is by no means scientific nor can the results be considered comprehensive. They represent a snapshot of the roles performed by watch based officers at multi-pump incident. It can be seen from the roles performed that Station Officers are in most cases given an appropriate level of responsibility at multi pump incidents. However at Sub Officer level the balance is not right and on occasions greater use could be made of this resource. This trend is shown even more clearly at Leading Firefighter level where personnel have completed a number of inappropriate tasks. Many of those questioned at this level did not feel satisfied with the role that they performed at the incident.

Kyran Ronson  
Assistant Divisional Officer

# Appendix 13

## FLEXIBLE DUTY SYSTEM 5 Week Rota - Station and Group managers (existing StnO's & ADO's)

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Pos. Hr.	Stby Hr.	Total
Week 1	R	8	8	8	8	R	R	32	16	48
Stndby					16					
Week 2	8	8	8	8	8	R	R	40	16	56
Stndby				16						
Week 3	8	8	8	8	8	R	R	40	16	56
Stndby			16							
Week 4	8	8	8	8	8	R	R	40	16	56
Stndby		16								
Week 5	8	8	8	8	R	8	8	48	48	96
Stndby	16					16	16			

Divided by no. of weeks	5
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200	112	312
Pos.	Stby	Total for Rota

Shortfall in stby hours to be used to cover absences  
 Local management of officers  
 Officer groups = 5 x 8 (current total = 44)

(42hrs max.)

40.00	22.4	5.6
Pos.	Stby	Div stby hrs x 4

Actual total stby p/a = 72.8  
 Shortfall = 9.6 hours per week x 52 wks = 499.2 P/A  
 499/24 = 20 shifts

(48hrs max.)

45.60

Add Pos. - Stby, Div 4

Total shifts available 72.8 + 20 = 92.8  
 Cost per 24 hours 20% / 92.8 = 1.07%  
 20% allowance (July 2004)

40.00	22.4	62.4
Pos.	Stby	Pos + Stby

SM(A) 6641 / 92.8 = 71.56  
 SM(B) 7111 / 92.8 = 76.62  
 GM(A) 7534 / 92.8 = 81.18  
 GM(B) 8232 / 92.8 = 88.70

**note shortfall of 9.6 hrs stby**

# Appendix 14

## FLEXIBLE DUTY SYSTEM (x6 week)

## Area Managers (Existing SDO's and DO's)

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Pos. Hr.	Stby Hr.	Total
<b>Week 1</b>	8	8	8	8	8	R	R	40	32	72
Stndby	16	16								
<b>Week 2</b>	8	8	8	8	8	R	R	40	32	72
Stndby	16	16								
<b>Week 3</b>	8	8	8	8	8	R	R	40	16	56
Stndby			16							
<b>Week 4</b>	8	8	8	R	R	8	8	40	32	72
Stndby						16	16			
<b>Week 5</b>	8	8	R	8	8	R	R	32	32	64
Stndby				16	16					
<b>Week 6</b>	8	8	8	8	8	R	R	40	32	72
Stndby			16	16						

Requires 12 officers (current =16)

Guarantees min 2 on duty

Total stby p/a = 94.6

Divided by no. of weeks	6
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232	176	408
Pos.	Stby	Total for Rota

20% allowance (July 2004)

(42hrs max.)

38.7	29.3	7.3
Pos.	Stby	Div stby hrs x 4

Cost per 24 hours = 20% / 94.6 = 1.05%

Area(A) 8865/94.6 = 93.71

Area(B) 9563/94.6 = 101.08

(48hrs max.)

46.00  
Add Pos. - Stby/4

38.7	29.3	68
Pos.	Stby	Pos + Stby

Current operational cover arrangements (excluding DO's)

<b>Area</b>	<b>Existing Officers</b>	<b>Attached Officers</b>
Northern	4 Area Officers	ADO Control Commander ADO ORM ADO H&S ADO New Dimension
Southern	5 Area Officers	ADO Comms ADO STC
Eastern	5 Area Officers	ADO FRM ADO BA/Equip
Western	7 Area Officers	ADO T&D
Pennine	6 Area Officers	ADO PPR
Central	7 Area Officers	None

Suggested disposition across five groups:

<b>Groups/Area</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Northern</b>	1 ADO 1ADO(H&S)	1StnO	1 ADO 1ADO(ORM)	1ADO(CC) 1ADO(ND)	1ADO(SC)
<b>Southern</b>	1 Stn O 1ADO(CMs)	1ADO 1ADO(TCC)	1Stn O	1ADO	1Stn O
<b>Eastern</b>	1ADO	1ADO(SC) 1ADO(FRM)	1Stn O 1ADO(BA)	1ADO(SC)	1ADO
<b>Western</b>	1StnO	1ADO 1 Stn O	1ADO 1ADO(TD)	1ADO(SC) 1Stn O	1Stn O
<b>Pennine</b>	1ADO	1StnO	1ADO(SC)	1StnO 1 ADO(PPR)	1ADO 1StnO
<b>Central</b>	1ADO 1StnO	1ADO(SC)	1StnO	1StnO	1ADO 1StnO

TRANSCRIPT

**CATEGORISED CAR USERS  
SPECIAL CONDITIONS APPLICABLE TO LANCASHIRE COUNTY FIRE  
BRIGADE OFFICERS**

The rules laid down for the use of private cars for official purposes by the National Joint Council for Local Authorities' Administrative, Professional, Technical and Clerical Services as applied by the County Council in respect of the use of Officers' private cars for official purposes will be applied to the above scheme, subject however to the following modifications and/or supplements as appropriate.

**1. Essential User**

Residential officers of the rank of Assistant Divisional Officer and above who are members of the Brigade and who are required to provide a private car for official purposes will be classified as "essential users" under the NJC scheme for the purpose of claiming allowances.

**2. Consent of Chief Fire Officer**

No officer may use or commit himself in any way to purchase a private car, to be used for official purposes, without prior written consent of the Chief Fire Officer.

**3. Type of Car**

The Chief Officer's consent will be required also in respect of the type and colour of the car which it is proposed to use. In general this consent will be given to officers in respect of cars with an engine capacity of over 1100cc providing performance and body size are satisfactory.

**4. Second-hand Cars**

Before approval can be given to the inclusion of a "used car" in the scheme, the vehicle must first be submitted for examination by the Brigade Transport Officer, or other officer nominated by the Chief Officer.

**5. Fittings**

An application by an officer for the use of his private car for official purposes will be deemed to signify agreement to the fitting by the Service in that car of any necessary wireless equipment, first aid kit, 1 BCF extinguisher and blue flashing light, all of which will remain the property of the County Council. Wireless aerials will be fitted at the rear of the car in a position to give maximum efficiency and will be of the standard type fitted by the Police to fire brigade cars. Permission may or may not be given by the Chief Fire Officer for the fitting of non-standard aerials and associated equipment to a private car following due consideration to a written application submitted by an officer on the essential car user scheme. Mileage connected with the fitting of officially issued equipment is claimable.

TRANSCRIPT

**6. Batteries**

A car used under the scheme must be fitted with a battery adequate for the purpose. officers participating in the scheme are permitted to use battery charging facilities available at fire stations for the maintenance of their car batteries.

**7. Insurance**

Insurance arranged in respect of the use of the car must cover legal liability to third parties, including passengers and indemnify the Lancashire County Council against all third party claims. The annual certificate of insurance must be submitted as soon as possible after renewal each year. Full comprehensive cover is not required by the Lancashire County Council except when the car is to be purchased under the assisted car purchase scheme.

The County Council's insurance policy provides comprehensive cover in respect of vehicles belonging to employees of the Council whilst being driven with the owner's consent by other employees of the Council on those exceptional occasions when this is necessary eg removing the car from a fire hazard or other incident; or visit to radio workshops.

**8. Assisted Car Purchase Scheme**

Applications for loan to assist in the purchase of a motor car for official purposes should be made on the prescribed form CT271A. This may be obtained on application from Headquarters, together with details of the Lancashire Council scheme. If an officer who wishes to participate in the scheme has sold a car during the 12 months preceding the date of his application the selling price of the car, which must be declared with supporting evidence, will be subtracted from the total amount of loan which could otherwise be advanced. The conditions governing the assisted car purchase scheme are set out in Part C of form CT271A but attention is particularly drawn to the following points:

- (1) Retrospective loans will not be granted to purchase a vehicle for which financial provisions has already been made. Delivery of a new vehicle should not be taken prior to the date on which a loan is due to be paid.
- (2) A second or subsequent loan will not be granted until after the expiry of two years from the granting of the previous loan (for this purpose the date of the cheque is the date of the granting of a loan).
- (3) The County Treasurer must first be informed if a loan assisted vehicle is to be disposed of.
- (4) If a loan assisted vehicle is disposed of prior to the expiry of the loan then that loan becomes repayable immediately.

**TRANSCRIPT**

- (5) If a vehicle is purchased in contravention of the above conditions and a loan is refused, a further loan will not be granted until the vehicle has completed 25,000 miles.
- (6) Car mileage allowances will only be paid at the rate applicable to the loan assisted vehicle until such time as the outstanding balance of the loan has been repaid.

**9. Transfers, Resignations, etc**

If an officer participating in the scheme ceases to serve as a member of the Brigade any outstanding balance of loan together with interest as calculated by the County Treasurer must be repaid before his service terminates and the Scheme provides for the outstanding amount to be deducted from any monies due to the Officer. Special arrangements can sometimes be made for outstanding loans to be transferred to other local authorities.

**10. Authorisation for Journeys**

Claims for mileage allowances should be made on the basis of actual mileage run. Normal routine journeys should be by way of the shortest practicable route. Before any claim can be made for a journey in respect of a social function permission from Headquarters will be necessary. Journeys undertaken by officers who are members of negotiating committees when attending meetings as such members, will not be eligible for claim. The use of a private car for official purposes on any particular occasion by any officer will be subject to the approval of his senior officer. Although prior approval to make any particular journey will not usually be necessary, such approval should be sought if any doubt is likely to occur as to whether the journey should have been made for official or private purposes. Claims on form CT261 by officers participating in the scheme must be submitted to their senior officers for certification. In the case of Divisional Commanders and staff officers attached to Headquarters, such claims should be submitted for certification by either an Assistant Chief Officer, the Deputy Chief Officer or the Chief Officer.

**11. Journeys Between Home and Base (Birmingham Agreement)**

- (a) Allowances paid under the Birmingham Agreement are non-taxable.
- (b) The agreement covers all officers on a residential system of duty who are in receipt of essential car user allowance.
- (c) Payment will be made at the rate of one return journey per day actually run between home and station/office with the exception of the first journey from home to work and the final journey from work to home for each tour of duty.

TRANSCRIPT

Cases may arise where an officer is on duty Friday, Saturday and Sunday having had a rota on the preceding Thursday and followed by a further rota on the following Monday. It follows that the first journey on Friday morning is not claimable and if the officer, because of the concession granted, does not attend his office on the Saturday or Sunday then the last journey between base and home would be that one on the Friday evening and here again the mileage is not reimbursable. If during the concessionary period it became necessary for the officer to attend his base then the mileage would be reimbursed with the exception of the first and last journeys between home and base. If under the circumstances detailed above, the officer made his last journey between base and home on the Friday evening, but found it necessary to visit a station other than his base station (eg Retained) on the Sunday, or alternatively was called out over the weekend to attend a fire or other incident not at his base then the full mileage in respect of attendance at the non base station, fire or other incident would be reimbursed but in that event the last journey home being that one undertaken on the Friday evening would be non-reimbursable. Should an officer take a Public Holiday in the middle of three 24 hour periods of duty then no claim can be made for any journey between home and base.

- (d) Each journey from home to place of work and vice versa should be the subject of a separate entry on the claim form. In those cases where payment for mileage is not permitted by virtue of it arising from either the first or last journey per tour a line should be drawn through the mileage column (6) to indicate 'no claim made' and the words "First Journey" or "Last Journey" must be shown in column (12) on form CT261.
- (e) First or last journeys which are broken to enable a call to be made at another Station, Division or incident en route will be shown under the business column (ie column 12) by indicating the full mileage actually run less single journey between home and place of work resulting in a net mileage which will be transferred to the claimable miles under column (6). This need not apply on any interim journey as the full mileage is reimbursable.
- (f) If it is essential that an officer should return to the office to deal with his official duties at any time outside normal office hours, or on any occasion when he would normally be off duty on rota leave, he will be entitled to include the mileage incurred for the return journey in his monthly claim for reimbursement of expenses.

## **12. Out of County Journeys**

No officer is permitted to use his own car to make an official journey outside the geographical county unless it is clear that it is in the interest of the Fire Authority for that journey to be made. Prior permission must be obtained from the departmental head before journeys are undertaken and the Deputy Chief Officer will record all such journeys for audit purposes.

**TRANSCRIPT**

The above restriction does not apply to journeys within territory ceded to the Lancashire County Council for the purpose of fire cover.

**13. Welfare and Sporting Activities**

- (a) Where a Supervisory Officer is REQUIRED to attend a sporting function at National or District level to represent the Chief Fire Officer mileage allowance will be claimable subject to coordination of transport arrangements where this is possible. Claims in respect of such journeys must be endorsed either by the Chief Fire Officer, the Deputy Chief Fire Officer or an Assistant Chief Officer and no reimbursement will be made to cover the activities of Station's elected representatives.
- (b) Claims may also be submitted for journeys made by such officers as members of the fire Services national Benevolent fund National or Area Committed. No reimbursement can be made in respect of local voluntary activities.
- (c) Divisional Commanders who are members of any Committee of a Brigade Welfare Council may also claim for journeys made to and from meetings of such Committees on the principle that their membership of such Committees is virtually ex officio and in their capacity as Divisional commanders they represent the Chief Fire Officer.
- (d) No claim should be made under any circumstances for a journey made for Welfare purposes unless the Officer concerned is on duty and on call.

**14. Institution of Fire Engineers Journey**

No reimbursement is permissible for IFE journeys other than when acting on behalf of, and representing, the Chief Fire Officer.

**15. Passengers**

Authorised users must carry passengers on official duties if called upon to do so. No additional reimbursement is made for passengers. It is the responsibility of officers to ensure that journeys are not duplicated by two or more car users. Wherever possible officers should arrange joint journeys in one car.

**16. Subsistence**

Form CT261 should be used in respect of subsistence claims as well as claims for mileage allowances, for the period ending the last day of each calendar month. Times of leaving and returning to Centre must be stated when subsistence allowances are claimed.

**TRANSCRIPT**

**17. Completion of Forms**

Details of journeys must be shown in full eg a round trip to Stations A, B, C and D should be shown as Base Station A, B, C, D – Base and not Base to furthest point and return to base. Reasons for journeys must also be given and the use of broad terms eg ‘supervisory duties’ is not sufficient. The initials ‘HA’ for Home Address and the word ‘Base’ to indicate station of posting are to be used and entered on the reimbursement form on all appropriate occasions. The most direct route must be used in all cases other than operational needs where quickness is the prevailing factor.

**18. Scale of Reimbursement**

- (a) Scales of reimbursement will be issued periodically.
- (b) The mileage year commences on 01 April and the mileage is accumulated to 31 March. Where an officer commences or ceases using his car during the year he is allowed 917 miles (1/12<sup>th</sup> of 11,000 miles)<sup>1</sup> for each month in which the car is used before being paid at the reduced rate.
- (c) Lump sum allowance is payable by monthly instalments. Where an officer commences or ceases using his car part way through a month a proportion of the lump sum is payable.
- (d) In the case of an officer being absent through sickness or his car being off the road through ‘mechanical breakdown’, the lump sum is payable at the full rate for three months from the first of the month following commencement of the illness or breakdown. After this period the allowance ceases. These allowances are accumulated over any period of 12 months.
- (e) An officer who is absent on leave without pay is not entitled to the lump sum allowance for the period of the absence.

**19. Temporary Withdrawals from Official Use**

If the officer authorised by the Chief Officer to conduct inspections of vehicles participating in the scheme declares such a vehicle to be unfit for use, it must be withdrawn from service until the defect has been corrected to the satisfaction of the Chief Officer.

All necessary maintenance work and servicing to the car should normally be carried out when the officer is off duty. In the case of breakdown or when repairs cannot be completed when the officer is off duty and a car is required for operational duties the Brigade Transport Officer must be informed and his permission obtained before a Brigade car is brought into use. This arrangement does not however obviate the need for the officer to inform the Chief Officer in writing of every occasion when he cannot use his car for official purposes giving the reason therefor.

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<sup>1</sup> Check the factual accuracy of this; M Laws, July 2004.

TRANSCRIPT

**20. Maintenance of Private Cars, Cleaning, etc**

The Chief Fire Officer reserves the right to arrange for the inspection of any private car used for official purposes to ascertain whether it is fit to undertake the work required of it and to ensure that the officer who owns the car is fulfilling his responsibility to maintain the car in proper condition for use for Fire Brigade purposes. The officer owning the car will be responsible for cleaning and servicing the car and carrying out all repairs, normally during periods when the officer is off duty. The officer may, in exceptional and isolated circumstances, following the direct effects of a fire or other incident (eg heavy carbon deposits, molten rubber, etc) and with the approval of the Chief Fire Officer, Deputy or Assistant Chief Officers, have his car cleaned by another member of the Brigade during the same tour of daytime duty. The facilities provided by the Lancashire County Council Vehicle and Plant Maintenance Unit are not available for repairs nor may County Council petrol be re-sold to any participating officer.