

Employers' Secretary, Simon Pannell
Local Government House, Smith Square,
London, SW1P 3HZ
Telephone 020 7187 7335
e-mail: firequeries@local.gov.uk

**NATIONAL JOINT COUNCIL
FOR LOCAL AUTHORITY
FIRE AND RESCUE SERVICES**

Employees' Secretary, Matt Wrack
Bradley House, 68 Coombe Rd
Kingston upon Thames KT2 7AE
Telephone 020 8541 1765

**To: Chief Fire Officers
Chief Executives/Clerks to Fire Authorities
Chairs of Fire Authorities
Directors of HR (Fire Authorities)**

Members of the National Joint Council

5 June 2015

CIRCULAR NJC/07/15

Dear Sir/Madam,

PAY, TERMS AND CONDITIONS WORKSTREAMS

Background

1. The NJC committed to work jointly on changes identified by each Side to ensure that there is a pay framework alongside terms and conditions in the fire and rescue service which reflect the responsibilities of, and current and future demands on, the service and the profession. It was agreed that it would include:
 - the increasing need to consider how the workforce's skills and commitment can best be utilised, including the type of activities undertaken, any additional functions that may be required and the implications of this for the nationally agreed rolemaps
 - the potential to build upon, and expand, this piece of work to encompass a more wide-ranging and strategic look to the future taking into account the matters of interest in England, Scotland, Wales and Northern Ireland.
2. It was agreed that the NJC's consideration of future work would be informed by the deliberations of 5 workstream groups, each of which would consider a broad category of fire service activity.
3. The February meeting of the NJC received an interim report and the workstreams were asked to complete their work by the end of May in order to report to the June meeting of the NJC.

4. The five workstreams had been asked to consider activities which could be undertaken by FRSs in general and whether such activity is within the currently agreed role maps or whether amendment would be required. A copy of the terms of reference and process is set out in **appendix A**.
5. Membership of each workstream is set out in **appendix B**. Each of the workstreams has met on between three and five occasions.
6. At the outset representatives acknowledged the need to be able to have open, frank and confidential discussions in order to best be able to explore and progress this work. Given the breadth of fire service issues discussed participants expressed the view that the workstream process and open approach to discussion was beneficial.
7. A number of workstreams identified that there was likely cross-over between some of the workstreams (e.g. Emergency Medical and Multi Agency) and this should be noted and not be allowed to complicate the discussions.
8. It was also acknowledged that there has been a significant reduction in the numbers of incidents directly related to the response activities of the Fire and Rescue Service. Fire deaths in the home have halved since the 1980s, and since 2007 the number of accidental fire deaths in the home has stabilised at around 210 per year, this is a significant testament to the commitment to prevention shown by fire and rescue authorities. All the workstreams identified during the course of their work that the trend of reduction in fire calls did not justify further reduction in the provision of fire cover for the large number of fire calls and other incidents which remain and an appropriate balance would need to be maintained to ensure frontline cover was not adversely affected by other work.

Workstream considerations

9. At yesterday's meetings of the National Joint Council and Middle Managers Negotiating Body members received progress reports. A number of the key points are presented below.
10. There was broad consensus across all of the workstreams that a set of overarching assurances would need to put in place before any of the proposed activities could be rolled out further. This included discussion, for example, on provision of appropriate training and equipment (where relevant), guidance to ensure consistency (e.g. welfare arrangements), and assurances around personal liability, pension and compensation issues.
11. The workstreams discussed a broad range of new potential activities which frontline firefighters could carry out but invariably focus narrowed as the meetings progressed and discussions became more detailed towards key areas. An indication of the areas discussed by the workstreams is set out below:

(i) Emergency Medical Response

- a) Co-responding schemes are currently being carried out in some FRAs in England, Scotland and Wales on a voluntary basis predominately by retained (RDS) firefighters.
- b) The workstream defined co-responding as *a scheme whereby appropriately trained and equipped FRS staff are mobilised to medical emergencies (as agreed with an NHS ambulance service) as part of a joint FRS/NHS response.*
- c) Local demand has been affected by the level of interest of individual ambulance trusts and funding pressures.
- d) Industrial relations have impacted on the extent to which co-responding has been introduced across the service. It should be noted that at its conference in May the FBU altered its position in order to facilitate discussion at national level.
- e) The workstream believes this is an area of work of interest to firefighters.
- f) Contact was made with the Association of Ambulance Chief Executives (whilst very early indications suggest a positive approach, it has committed to considering the questions raised in detail and a formal response is awaited). The College of Paramedics are supportive.
- g) Potential funding - whilst employee representatives' preference would be to secure national funding for co-responding it was felt that the likely approach to funding, outside Scotland, would be clinical commissioning with ambulance trusts within geographical areas.
- h) The conclusion of the workstream was that co-responding is an activity that could be undertaken more widely by firefighters in general and in FRSs that wish to, subject to the assurances in paragraph 10 above.
- i) The workstream also considered the subject of potential wider medical response and related issues ranging from passing on the skills firefighters have to support wider delivery by members of the community (e.g. use of defibrillators) to working in conjunction with police and ambulance services to promote the reduction of risk whilst also providing a response to high volume, low priority calls, such as falls in the home and incidents relating to mental health.

(ii) Multi Agency Response

- a) Whilst the workstream considered a number of potential multi-agency work areas, due to its complexity it mainly concentrated on Marauding Terrorist Firearms Attack (MTFA), recognising that sight should not be lost of those other areas and most would be picked up by other workstreams in any case.
- b) The workstream defined MTFA as *a terrorist attack involving the use of firearms in a way designed to inflict large numbers of casualties and would represent a major incident for the Emergency Services. The rapidly changing and unique features of this type of attack require a more dynamic and collaborative approach to that adopted in standard major incident response planning.*

- c) Acknowledging the confidentiality issues surrounding government policies, tactics and operational capacity it would not be appropriate to provide details in this report.
- d) The workstream also acknowledged the need for assurances including those referred to in paragraph 10 above.
- e) Potential funding - it was felt this fell into the realms of 'New Burdens' and thus the most appropriate approach on funding would be direct funding from governments for all training, equipment, operational capability, insurance and additional automatic compensation payments. A joint approach to the respective bodies would be appropriate.
- f) There was acknowledgement that firefighters are most likely to be first on the scene of any major terrorist incident, with that in mind there is willingness within the workstream to explore this activity in more detail but the genuine and serious risk to firefighters lives' and safety are paramount for employee representatives in agreeing to sign up to this work in future.

(iii) Environmental Challenges

- a) Due to increasingly volatile climate conditions and the most extreme series of weather events in recent history, work in this area has risen dramatically. For example, the flooding which occurred on the Somerset levels between November 2013 - March 2014 saw a major incident declared and 27 FRSs deployed to the area to provide national support.
- b) The workstream considered a number of environmental challenges covering situations such as flooding, snow, inland water, unstable ground, wildfires, heatwave/drought and storm damage.
- c) The workstream felt that FRSs are well placed to deal not only with such incidents at the time but also with wider work ranging from prevention/education and clearing-up to co-ordination of arrangements with communities and humanitarian assistance.
- d) Assurances of the kind referred to in paragraph 10 above are also relevant to this group.
- e) The workstream concluded that, as environmental challenges are increasing, a national general provision should be developed to allow related work to be introduced without the delay of protracted discussion at local level as well as developing the preventative and proactive which would help government departments to achieve their outcomes for the greater good.

(iv) Youth and Social Engagement

- a) Fire and rescue services actively work with Children and Young People to provide fire safety and fire prevention education. A number of fire and rescue services also carry out a range of activities aimed at tackling wider health or social determinants. Programmes range from primary schools visits to teach young children the basic dangers of fire, to health and wellbeing initiatives aimed at tackling health inequality.

- b) The extent to which this type of work is undertaken can vary across fire and rescue services, which may be a reflection of local demand, funding pressures, or differing industrial relation climates. However the workstream believes there is a real opportunity to utilise the high regard that the public holds firefighters in, combined with the access that firefighters have to their communities, to address broader social determinants.
- c) The workstream concluded that if there is agreement that wider delivery of work in this area should become a core part of the role for station based personnel it would be important for there to be an NJC statement to remove any uncertainty at local level about delivery.
- d) A clear outcome of such developments would be adding value to current firefighter roles whilst also developing smaller, specialist teams (potentially drawing in additional funding) providing additional services. However, the workstream was mindful that covering too many roles and activities could potentially make the generic firefighters' position more vulnerable (training implications, less operational cover etc.).

(v) Inspection and Enforcement

- a) Protection work on fire stations across many FRSs varies enormously, and whilst some excellent practices operate across Scotland and some other FRSs, the vast majority of services in the broader UK have removed this activity over the last ten years. A number of factors have led to this change, not least the demand to visit domestic dwellings where the largest number of fires and fatalities occur.
- b) The commencement of new fire safety legislation in the early part of the century created a need to re-learn and re-process many of the practices that supported the previous legislative framework and at the same time fire safety activities removed from the routine activities of station-based staff
- c) The shift in regulatory activity is not solely driven by the 'better regulation' agenda and economic growth. The increasingly reported economic cost of fire against a national backdrop of decreasing fires, injuries and fatalities accentuates a pattern across the broad commercial sector.
- d) Routine fire safety activities by fire station based staff supports the maintenance of knowledge of their commercial environment as well as maintaining their knowledge of building construction, firefighting installations and fire safety measures. This knowledge forms a critical part of the firefighter role and ensures their safety at life-threatening incidents.
- e) The workstream concluded that inspection and enforcement were, historically, activities carried out by station-based personnel but due to a number of factors activity in this area has dropped out of the everyday firefighter role. The workstream was keen for the promotion and re-introduction of these activities which have positive outcomes to business continuity and the disruption or loss of businesses within communities as well as improving firefighter knowledge of the built environment and more importantly firefighter safety.

- f) Potential funding - there needs to be sufficient financial resources to cover potential increased training obligations and for when this work is carried out more extensively by retained duty system employees. FRA's may also wish to consider if there is the opportunity to draw from business rates.

Current position

- 12. It is understood that the conclusion of phase 1 does not constitute any agreement on the introduction of new work outside of the rolemaps. Members also reflected on the capacity of the fire and rescue service and that expansion of its activities and responsibilities needs to be considered in the context of robust and sustainable funding. The NJC had previously agreed that once the workstreams had concluded their work in phase 1 the next part of the process - meshing together of the outcomes, consideration of what it is appropriate to take forward at national level, local level or not at all - will then need to take place. At that point consideration would also be given to the viability of any potential funding streams identified by the respective workstreams and whether they should be explored further.
- 13. At meetings of the Middle Managers Negotiating Body and National Joint Council on the 3rd June, members welcomed the progress that had been made and confirmation that the work was on schedule. Members agreed that the work should now move into its second phase initially through the Joint Secretariat, to be followed by discussion through joint lead members in the first instance, and then the full NJC. It is anticipated that second phase will include a number of co-responding trials. A further progress report will be made to the NJC and MMNB when they next meet in October.
- 14. It is envisaged that the outcomes of the work identified above will encompass a number of issues. On the assumption that overall agreement can be reached on those issues, the importance of active national joint support for such work was recognised, which may include joint, probably regional, events to further communicate the message directly to the parties at local level.
- 15. Members also wished to place on record their appreciation to all those who participated in the workstream process for their assistance, commitment and contribution. Their experience and professional view of national practices and activities has been invaluable. Whilst phase 1 has now concluded it may also be the case that it would be sensible to call upon them for further work as part of phase 2.

Yours faithfully

SIMON PANNELL
MATT WRACK
Joint Secretaries

APPENDIX A

NATIONAL JOINT COUNCIL FOR LOCAL AUTHORITY FIRE & RESCUE SERVICES

PAY, TERMS AND CONDITIONS - WORK STREAMS
Terms of reference

Identified Work streams

The following work streams have been identified and agreed. The examples given are not intended to be an exhaustive list of the areas of interest for each work stream

- i. Environmental challenges – e.g. flooding, inland water safety, snow, wild fires
- ii. Emergency medical response – e.g. co-responding, falls, on-site trauma care, provision of community training
- iii. Multi agency emergency response – e.g. MTFA, joint working, any issues falling out of JESIP
- iv. Youth and other social engagement work – e.g. arson reduction, working with risk of offending youth groups
- v. Inspections and enforcement – e.g. schools, illegal homes, crown properties, expansion of unregulated business use, related fire safety advice

The work streams should consider activities which could be undertaken by FRSs in general and whether such activity is within the currently agreed role maps or whether amendment would be required.

Structure and process

- There will be 3 members per side (plus the Secretariat). This would not preclude attendance by advisers for specific issues should it be necessary.
- Each work stream will develop a scoping document at its first meeting including anticipated volume of work, frequency of meetings and timescale for completion
- The subject matter for each work stream will determine the appropriate timescale, but it is anticipated that between 3 and 6 meetings might be needed for each work stream.
- Any issues that either side has about the rate of progress on any individual work stream will be discussed through the joint secretaries.
- Each work stream will produce an initial update report for a joint lead members meeting in January 2015. This will inform the NJC's discussions in February at which it is anticipated that an over-arching timescale for completion will be identified.
- On completion the separate themes will be pulled together through the Joint Secretaries to provide an over-arching conclusion to be considered initially by joint lead members.

Each side is involved in the work streams on a "no commitment" basis with regard to any outcomes.

APPENDIX B

Workstream	Employees' Side	Employers' Side
Environmental Challenges	<p>Lead: Dave Green</p> <p>Tam McFarlane, South West Grant Mayos, Wales John Arnold, EC Member for Officers</p>	<p>Lead: Simon Pannell/ Gill Gittins</p> <p>ACO David Goodhew, Scottish FRS DCFO Nathan Travis, Oxfordshire FRS DCFO Paul Hedley, Northumberland FRS</p>
Emergency Medical Response	<p>Lead: John McGhee</p> <p>Kevin Brown, North West Andy Noble, North East Tam Mitchell, Retained Members Dave Limer, East Midlands</p>	<p>Lead: Simon Pannell/ Gill Gittins</p> <p>ACO Boyle, Scottish FRS AC Dave Brown, London Fire Brigade Area Commander Ian Thomson, Surrey FRS</p>
Multi-Agency Response	<p>Lead: Andy Dark</p> <p>Jim Parrott, South East Ian Leahair, London Keith Handscomb, Eastern John Arnold, EC Member for Officers</p>	<p>Lead: Simon Pannell/ Gill Gittins</p> <p>AC Tim Cutbill, London Fire Brigade CFO Simon Pilling, West Yorkshire FRS ACO David Goodhew, Scottish FRS</p>
Youth and Social Engagement	<p>Lead: Andy Dark</p> <p>Dave Sibert, Fire safety and IRMP adviser Ricky Matthews Southern Jo Byrne , Control Staff Members</p>	<p>Lead: Simon Pannell/ Gill Gittins</p> <p>DCFO Phil Garrigan, Merseyside ACO Lewis Ramsey, Scottish FRS ACFO Peter O'Reilly, Greater Manchester FRS</p>
Inspection and Enforcement	<p>Lead: Andy Dark</p> <p>Dave Sibert, Fire safety and IRMP adviser Barry Downey, West Midlands Roddy Robertson, Scotland</p>	<p>Lead: Simon Pannell/ Gill Gittins</p> <p>ACO Gary Ferrand, East Sussex FRS ACO Lewis Ramsey, Scottish FRS Keith Brooks, Cheshire FRS</p>