



**DORSET & WILTSHIRE
FIRE AND RESCUE
AUTHORITY**

Item 06

MEETING	Dorset & Wiltshire Fire and Rescue Authority
DATE OF MEETING	9 March 2017
SUBJECT OF THE REPORT	Independent review of conditions of Service for Fire and Rescue staff in England.
STATUS OF REPORT	For open publication
PURPOSE OF REPORT	For Information and discussion
EXECUTIVE SUMMARY	The purpose of this report is to provide Members with an updated position against the initial gap analysis presented to the Policy & Resources Committee on 29 November 2016. It also outlines the links to the Minister for Policing and the Fire Service's Reform speech of the 7 February 2017 and how it is proposed to strengthen existing governance arrangements to make sure the actions and areas of focus are delivered with sufficient Member engagement and scrutiny.
RISK ASSESSMENT	Failure to incorporate any local deficiencies within the activities and projects that are monitored and managed through our Performance Management framework, may make the Service vulnerable in respect of assurance against future inspection regimes.
COMMUNITY IMPACT ASSESSMENT	None for the purpose of this report.
BUDGET IMPLICATIONS	None for the purpose of this report.
RECOMMENDATIONS	It is recommended that Members: <ol style="list-style-type: none"> 1. Consider the progress that has been made against the initial gap analysis in the short time since the first report was received

	2. Consider whether future reporting of progress should be made to the Finance, Governance & Audit committee on a 6 monthly basis
BACKGROUND PAPERS	<p>i. Independent review of conditions of service for Fire and Rescue staff in England. https://www.gov.uk/government/publications/conditions-of-service-for-fire-and-rescue-staff-independent-review</p> <p>ii. Ministerial speech, 7 February 2017 Fire Reform Speech - 07 02 17.pdf</p>
APPENDICES	A: Updated gap analysis
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1 Introduction

- 1.1 At the Policy and Resources Committee on the 29 November 2016 Members received a report explaining the Minister of State for Policing and the Fire Service, Brandon Lewis MP, released the Independent Review of Conditions of Service for Fire and Rescue Staff in England.
- 1.2 The report also explained that the independent review was originally undertaken in October 2014 by Adrian Thomas and that although it had been dormant for nearly 2 years, it had been 'amended where appropriate for the passage of time'.
- 1.3 The report followed on from a previous report by Sir Ken Knight and the overarching propose was stated as being 'to investigate barriers to change, particularly those associated to terms and conditions'.
- 1.4 The Executive summary of the 'Thomas Review' set out the following explanation for the areas of focus:

'Conditions of service underpin the employment of the workforce. As employment costs typically make up a significant (and usually the majority) of any organisation's resources and budget it is unsurprising that focus should fall on the effectiveness of the workforce in delivering the strategic intent. If change needs to happen it usually needs to happen quickly so that systems and processes can be improved and benefits realised.

Conditions of service also affect people directly. Most people end up living and organising their life and spending in alignment to their work and income. Any change to this can be felt not just by the worker but their family as well. As such there is sensitivity, and much legality, around how conditions of service are deployed and any desire to change them.

In this report I have followed the conditions of service and the areas of employment and operational relationships that they impact. I have come to conclusions, findings and recommendations that impact on:

- The working environment
- Documented conditions of service
- Industrial relations
- Duty Systems
- Management of the fire and rescue service'

2 Initial priorities

2.1 The initial report from the Chief Fire Officer set out what he believed the initial priorities were. The following sections were included directly as areas of focus:

- I. There is much rebuilding to be done around **culture and trust**, including addressing the concerns around bullying and harassment. This also has an obvious relationship with equality and diversity. Everyone deserves a work place free from bullying where employment and progression is on merit and free from bias. The Fire Service needs inspirational leaders able to deliver a high performing, engaged workforce. Where I found these leaders during my fieldwork visits I also found positive industrial relations. Understanding and surfacing the differing levels of industrial relations culture and trust is vital to moving forward in these areas. A service wide engagement survey focused on culture, equality and trust should be conducted on an annual basis. Management performance objectives should be 'hard wired' into this survey. Whilst embedding changes in management culture may take time, I believe the implementation of employee engagement surveys and amendments to management objectives could be taken forward by each Fire and Rescue Authority and implemented relatively quickly.
- II. The **Retained Duty System (RDS)** offers significant opportunity to align resources to risk at a significantly lower cost than maintaining full time cover at times of low level risk and activity. However, the difficulties in recruiting RDS Fire Fighters were repeatedly communicated to me. In addition to supporting a national recruitment and communication programme Government should bring forward legislation that extends employment protection (as enjoyed by military reservists) to Fire Fighters engaged on RD Systems and part-time contracts.
- III. Conditions of service are currently documented in the Green, Grey and Gold books. My review makes no recommendation as to the Green Book. However, I find very little value in capturing conditions of service in the **Gold and Grey Books**. I found the Gold Book to be redundant, unread and unused in virtually every Authority I visited or which responded to my questionnaire. I recommend that the Gold Book is discontinued and that the employers and representative bodies implement this recommendation as soon as is reasonably practicable. The Grey Book is held by Fire Fighters as a key foundation or anchor for their conditions of service, even though in most Fire and Rescue Services there are local derivations away from the national provisions contained within it. Employers repeatedly pointed out to me either that the Grey Book was a barrier to alignment of conditions of service with local delivery or that they had managed to change locally the

conditions of service despite the Grey Book. Either way it appears to me that the Grey Book should be slimmed down. Consideration should be given by the employers, in consultation with representative bodies, as to replacing the Grey Book with a contract of employment at the local level, supported by an employee handbook. Base Pay (see section on training) should remain national but all other conditions of service should have a more regional/local flavour and I recommend that the National Joint Council takes action to explore how such a system could operate in practical terms.

- IV. The description of **role maps and duty systems** in the Grey Book creates inflexibility in the deployment of Fire Fighters in support of the local Integrated Risk Management Plan (IRMP). Role maps are too restrictive and duty systems within the Grey Book in many Fire and Rescue Services do not reflect the changing activity from response to prevention. Both the list of role maps and the pre-determined duty systems should be removed from the Grey Book by the employers, in consultation with representative bodies.

3 Ministerial vision for fire service reform

- 3.1 These initial priorities have largely been confirmed as being appropriate when considered against the content and tone of the Minister for Policing and the Fire Service's Fire Reform speech, that was delivered in London on the 7 February this year. The context of the speech was largely set against the passing of the Policing and Crime Act 2017 that received Royal Assent the previous week. However, direct reference was also made to the requirement for Authorities and Service's to deliver against the recommendations within the Thomas review.
- 3.2 In the context of this paper it was also stated that the new inspection regime will not only be empowered to determine how effective each Service is at preventing and responding to incidents and whether the Service provides value for money and understands demand in terms of risk. It will also be focused on leadership, training, diversity, values and culture.
- 3.3 To reinforce this point, the Minister also announced that the inspection regime would be able to commission thematic reviews and the first area of focus will be on diversity, collaboration and flexible deployment.
- 3.4 The other key areas covered by the speech can be summed up as being:
- I. The Local Government Association's peer review must change to compliment the forthcoming inspectorate.
 - II. To encourage greater transparency and accountability a new website will be created to mirror what is seen on Police.uk.

- III. The role of Police and Crime Commissioners and the understanding that changes to governance arrangements would not be imposed.
- IV. Procurement and collaboration and the expansion of the basket of goods in the spring to see if the gap between different Services has narrowed.
- V. Delivering against the statutory duty within The Policing and Crime Act 2017 to collaborate across blue light Services.
- VI. Establishing a new professional standards body which will build a comprehensive professional framework including leadership, workforce development and equality and diversity.
- VII. The need to create a diverse working environment free from bullying and harassment, with strong leadership and more flexible working conditions.

4 Progress against the original gap analysis

- 4.1 Appendix A sets out the progress that has been made against the original gap analysis. Progress has understandably been limited due to the short timescale that has elapsed since Members received the original report in November.
- 4.2 Work has now been undertaken to make sure that activities and projects within our performance framework are mapped against the recommendations set out in the Thomas review. Monitoring of progress will be undertaken through team and departmental performance meetings and through existing governance arrangements.
- 4.3 To enable this to be effective, Officers have been working to further strengthen our performance framework to potentially include a Member led further priority with associated Key Lines of Enquiry (KLOE). This will help to demonstrate that the Minister's generalised concerns are high on the Authority's priorities. It will also allow people and cultural development activities and projects to be managed and tracked effectively using the same mechanism as the rest of our performance framework.
- 4.4 This approach will also allow Members to scrutinise progress through the Finance, Governance and Audit Committee, ensuring that we successfully deliver against our vision and the recommendations within the Thomas Review.
- 4.5 Members will also be reassured to know that this approach will enable progress against KLOE to be mapped against any expectations that emerge from the new inspection regime.
- 4.6 Validation and scrutiny of this work will continue at an officer level through the process that is being undertaken to develop the revised Community Safety Plan

2017/2021. This will be brought back to Members in a timely manner for consideration in June.

5 Summary and key points

- 5.1 Delivering against the recommendations within the Thomas Review is a clear Ministerial expectation. By further strengthening the performance management arrangements to align to the emerging Government agenda, this will help to put the Authority in a good position for future inspections.

Benjamin Ansell
Chief Fire Officer
March 2017

Independent Review of Conditions of Service for Fire and Rescue Staff in England February 2015

Number	Report Recommendation	DWFRS Position	DWFRS Action
Section 4 - The Working Environment			
1	Culture and trust are at the centre of many of the changes required to create a high performing service aligned to the needs of the people it serves. A consistent employee engagement survey should be developed and deployed across the service (allowing inter authority comparisons) and 'hard wired' into management objectives.	Cultural survey has been progressed. The survey provides a baseline against the Service's RESPECT values framework and is intended to provide the intelligence on how DWFRS's culture is developing. The outcomes of the survey will help to shape our approach to leadership and staff development and help to provide context for the on-going refinement of our community safety plan.	DWFRS are carrying out our first staff survey. This has been developed from a model used by the RNLi who we are working with to develop a joint approach to leadership. The survey will form an integral part of our Service planning framework. There is no consistent approach to employee engagement in place across different Fire and Rescue Services at this time but DWFRS would welcome the opportunity to be involved in any task and finish group.
2	Engagement with employee representatives at the earliest opportunity should be a feature of all change programmes.	This has been a principle that we adopted through the Combination process and we continue to focus on this as a key process as we move forward. The employee communication and engagement strategy identifies regular opportunities for staff engagement and the delivery plan is monitored by the Strategic Leadership team on a quarterly basis.	Ensure the employee communication engagement strategy continues to be effective using feedback and the cultural survey to measure positive impact. This is being monitored by SLT on a quarterly basis and in February this is the subject of a debate with all middle and junior Managers.
3	Fire and Rescue Services should deploy training in	This has been done on an ad-hoc basis dependant on particular initiatives.	Leadership development is a key area of focus in our people development programme. Understanding

	effective change management, leadership and employee engagement in addition to Industrial Relations.		effective change management and an awareness of how to conduct effective industrial relations will also be considered as we develop our skills pathway for all managers.
4	Increased importance should be placed by Fire and Rescue Services on employee communication – appropriate management training and processes (direct to employee) should be implemented.	DWFRS have developed an internal communication and engagement strategy. This identifies regular corporate opportunities for staff communication and engagement as well as opportunities for key initiatives to feed into the strategic delivery plan. This helps us to ensure a coordinated and consistent approach. For example, we operate a change forum which provides a useful sounding board for managers developing new initiatives and for resolving issues. It also helps the Service understand the effectiveness of the communications and engagement strategy with its staff. Heads of Department have all participated in a leadership support programme since combination to support the delivery of change in their teams.	Keep strategy under review and ensure initiatives are evaluated and learning informs future strategy.
5	Fire and Rescue Services should instigate audits of the flow of management information reaching the workforce with the aim of improving the flow of information to the frontline fire-fighter.	The two previous Services had internal management audit processes.	Ensure that the staff engagement survey allows the opportunity to comment on the effectiveness of our communications and access to management information for front line staff. Conduct annual audits of the implementation of new procedures to ensure the communication and understanding of these is effective.
6	Management performance objectives should be hard wired to the results of an annual	The first staff engagement survey has been delivered. The outcomes of the survey will form an integral part of our business planning cycle,	Continue to proactively review of the employee communications and engagement strategy.

	employee engagement and communication survey.	particularly with regard to organisational and individual development.	
7	Unconscious bias training should be rolled out across the fire and rescue service.	This is currently not being specifically delivered in DWFRS but it is included in our RESPECT framework.	This will be evaluated for inclusion in the skills pathway for managers.
8	The leadership of the Fire and Rescue Service (represented by the Local Government Association and Chief Fire Officers Association) and the employee representatives together with special interest groups representing women, black and ethnic minority Firefighters should publish a memorandum of understanding how people will be treated.	National action required. However, DWFRS have in place our RESPECT framework which sets out behavioural expectations for all roles.	Whilst this is a nationally driven initiative we will ensure through DWFRA representation that we continue to lobby for this
10	Each Fire and Rescue Service should maintain an active register of Firefighters with second jobs. A refusal or failure to declare a second job should be treated as a serious disciplinary matter.	Both previous Services maintained a register.	This will be maintained going forward and proportionate action considered for any failure to comply with procedures.
11	Implement a single technological/equipment evaluation facility.	This is a national action and is being addressed by a national Research and Development hub that DWFRS have supported.	No local action.

Section 5 - Documented Conditions of Service			
12	The Fire and Rescue Service in conjunction with the Government should create a national communication programme highlighting the range of activities and skills beyond fighting fires currently undertaken by Firefighters. The aim of this would be to raise public awareness that creating a flexible Fire and Rescue Service aligned to prevention is key to increasing safety in the local community.	This is a national action.	DWFRS will continue its use of national communications and awareness campaigns to raise knowledge of the FRS and the careers it offers.
13	Slim down and modernise the Grey Book, removing duty systems and reference to role maps and national occupational standards and replace with contracts of employment.	This is a national action.	At a local level DWFRS is well represented by Cllr Knox on the NJC. We will continue to foster effective local industrial relations to optimise working arrangements.
14	Minimum night time shift hours should be removed from the Grey Book.	This is a national action.	As above.
15	Disagreements regarding additional payments, collaborations or implementation of new technologies and	This is a national action.	As above.

	working practices should be resolved locally without resort to the national advisory panels.		
16	The national employers, government and employee representatives should, in support of establishing a changed culture (as detailed earlier), meet and agree a re-defined national joint protocol in industrial relations.	This is a national action.	We continue to use the existing protocol as a reference point for helping us improve local relationships.
17	The ability to compulsorily move an individual from the flexible duty system should be introduced.	This is a national action.	We will continue to ensure we have fair practices for redeployment, capability and discipline as appropriate.
Section 6 - Industrial Relations			
18	The National Joint Council should be retained for the purposes of national pay bargaining for basic pay whilst reforming itself to represent employers and employees on a more local basis for all other conditions of service including incremental pay for acquiring competences beyond 'safe to ride'.	This is a national action.	At a local level DWFRA is well represented by Cllr Knox on the NJC. We will continue to foster effective local industrial relations to support the development and competence of our staff.

19	The National Joint Council should consider operating regionally to reflect the requirements of the different Fire Authorities whilst retaining a national umbrella with respect to basic pay.	This is a national action.	We are unsure of the merit of regional negotiations, but support the notion of central collective pay agreements.
20	Remove Technical Advisory Panels and Resolution Advisory Panel and replace with a direct to ACAS approach. Fire and Rescue Authorities are undertaking a significant amount of local negotiation as they agree positions out with the Grey Book locally and this will not significantly increase workload or cost – in fact the Knight review suggested that local negotiations save money.	This is a national action.	No local action – other than to monitor developments.
21	The Government should recognise the increasing view that the current right to withdraw labour (take strike action) is incompatible with the expectations that the public has of an emergency service. As such Government should bring forward appropriate legislation to remove the protection	This is a national action.	We will continue to monitor and test our business continuity arrangements.

	afforded under the Act to unions when their collective strike action, or action short of strike, impedes the FRS from making an emergency response. The right to strike being retained for non-emergency activities.		
22	If the Government determines not to bring forward legislation to restrict the right to strike, then Government should instigate consultation with a view to agreeing with employee impacted a no strike agreement in emergency situations. The right to strike being retained for non-emergency activities.	This is a national action.	As for 21 above.
23	The chair of the National Joint Council should instigate an independent review of the structure and representative make-up of the NJC to enable it to perform effectively at both a local and national level – noting that a number of contributors, from both the employers and the representatives, felt that they were excluded from the council.	This is a national action.	At a local level DWFRA is well represented by Cllr Knox on the NJC. We will continue to foster effective local industrial relations to optimise working arrangements.

Section 7 – Retained Duty Systems			
24	Fire and Rescue Authorities should adopt duty systems and staffing which align Firefighter availability to the planned work load (e.g. community safety) whilst providing response cover appropriate to the Integrated Risk Management plan should be encouraged.	We currently have a range of whole-time, day crewed, nucleus and retained arrangements. We already have over 85% of frontline fire engines crewed by retained. DWFRS enable mixed crewing to support our operational response arrangements where shortfalls are identified.	We will continue to use the most effective shift arrangements congruent to risk and available resources. We are developing proposals for a more sustained retained duty shift system which will be actively consulted on with staff. A financial commitment to resource this has been made within the Medium Term Financial Plan.
25	Fire and Rescue Authorities should be required to provide an annual statement on the use of retained Firefighters. Any decision not to use or to cease to use retained Firefighters should be communicated in this statement and underpinned with operational evidence provided by the FRS.	We currently provide an Annual Statement Of Assurance which specifically outlines Operational Assurance – it would be relatively straight forward to incorporate this requirement.	Include break down of shift arrangements in the Annual Statement.
26	As part of the annual statement Fire and Rescue Services should be required to provide an annual commentary on the number and use of retained Firefighters. And in particular to report on the level of mixed	As above for 25.	As above for 25.

	crewing or co-working with whole-time personnel.		
27	Legislation should be brought forward to provide employment protection to Firefighters employed on the Retained Duty System. This legislation is already in place for other groups (military reservists, magistrates and so on).	RDS currently have protection in relation to The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000. It may be more appropriate to consider incentivising employers to support and release RDS	Continue to work with local employers to promote the awareness and benefits of RDS.
28	A national awareness programme for retained duty system personnel should be produced.	This is a national action.	As above for 27.
29	Trial and evaluate, in a limited number of FRS's, the use of an annual bounty payment for employers of retained Firefighters.	This would place a new burden on FRS – a more appropriate incentive may be some form of tax relief for employers.	Continue to monitor national developments
Section 8 – Management of the Fire and Rescue Service			
30	Fire Authorities should keep the number and level of commitment of Fire Authority elected members under review. The right number may differ by Authority but should be large enough to allow scrutiny without	The current Governance arrangements of DWFRA are under review.	The Authority has an active Governance Working Group. Proposals to potential changes to governance arrangements are to be discussed on the 9 th March by the Authority.

	becoming burdensome on operational delivery.		
31	Recruitment and selection academic standards should be immediately raised.	<p>Previously both Services complied with national guidance in relation to selection and Assessment and Development Centres. Any introduction of new qualifications and standards should have proven justification in terms of evidence based reliability and validity – otherwise it could act as an artificial barrier to entry and to improving the diversity of our workforce. A good example here is apprenticeships which are specifically targeted at people with lower qualifications.</p> <p>Any increase in the level of academic standards for retained Firefighters would, in all likelihood, have a detrimental effect on recruitment levels as there is by definition a restricted pool of potential recruits.</p>	Continue to monitor entry standards based on proven validity of criteria linked to business need.
32	Fire and Rescue Services should create critical mass by collaborating in recruitment including lateral recruitment into 'fast track' management programmes.	It is unclear whether this refers to all staff groups. In terms of whole time operational staff, local recruitment campaigns have proven very effective, albeit the diversity of applicants is still disappointing.	Continue to monitor recruitment strategies and effectiveness of applicants.

33	Fire and Rescue Services should explore a collaborative approach to the creation of succession plans and senior leader programmes with more cross authority developmental moves.	Currently DWFRS are looking to support 3 senior staff members complete the Executive Leadership Programme (ELP) over the next 12 months. We have agreed leadership principles as part of our people development programme. The mix across and within sectors of senior staff would be welcome.	Continue to support leadership development through ELP and other delivery models that meet business needs. Work collaboratively to achieve this.
34	Where collaboration could lead to more formal mergers, Government should find transformational funding to support the creation of larger FRS's that offer critical mass in areas of technology introduction, recruitment, succession and development.	We continue to offer lessons learned to Government on the success of our Combination not only in terms of sustainability but also moving towards a new Vision of a modern FRS.	Continue to share learning and good practice regarding the benefits of larger FRS.
35	Fire and Rescue Services should maintain an up-to-date strategic workforce plan.	Previously both FRS undertook succession planning but over a differing timeframe. This has now been formalised with a new process and regular workforce planning meetings. The delivery of strategic workforce planning linked to finance is a key activity within the people programme.	Ensure future workforce planning includes a vigorous investigative framework that is business led in terms of delivering our priorities and that it aligns to the Medium Term Finance Plan.
36	Fire and Rescue Services that cannot offer promotional opportunities away from the original place of work/watch then preparatory management training should be available as	This is currently being developed as part of workforce planning and development requirements. Development pathways linked to roles are being developed for implementation in a phased approach.	Monitor as part of our corporate business cycle and look for opportunities to work with partners in developing our approach across the public and voluntary sector.

	part of a strategic workforce development plan.		
37	The expectation that all Fire fighters attain the same, maximum, level of competency should be removed. The wide and increasing range of roles and activities undertaken by Firefighters calls for a more sophisticated alignment of capability with the activity required in support of the local Integrated Risk Management Plan than can be provided by the view that 'a fire fighter is a fire fighter'.	With 85% reliance on RDS and the necessity to allow for flexibility and movement in relation to maintaining strategic fire cover, then a level of core competence is required. We would contend that 'a competent Firefighter is a competent Firefighter'. We ensure that all Firefighters have an operational licence which covers key risk areas that are independently assessed at a set frequency. This is a corner stone of our maintenance of competence for operational staff.	Going forward we will examine the basic core competence requirements and what additional skills/knowledge operational staff may need for more specific activities (e.g. safe and well visits, emergency medical response etc.)
38	Training and pay should reflect a 'safe to ride' measure – basic core skills and core pay followed by competency based increments as required (which in the event of losing that competency means that the Firefighter retains their job albeit without that competency).	Currently we have different arrangements in place for progression in respect of the Firefighter development programme.	This will be addressed over the next 12 months.
39	To create and maintain (in the face of decreasing numbers) a cadre of managers capable of	Historically both Services have supported staff (both corporate and uniformed) on the Executive Leadership Programme. Having a standardised	Continue to support staff on the ELP and support the development of future national strategies where they

	becoming future FRS leaders, a standardised industry wide approach to leadership development should be adopted.	approach across the fire sector may not meet our business requirements. We are actively engaged in developing a collaborative approach with the RNLI.	meet our business needs and challenge traditional approaches to leadership.
40	Fire and Rescue Services not using the Executive Leadership Programme should reconsider doing so.	This is supported by DWFRS.	Continue to support.
41	A lateral, industry wide, recruitment scheme should be created. This will fast track managers through the experiential requirements and into senior roles.	This is a national action.	Support as appropriate.
42	The Gold Book (conditions of service for Principal Officers) should be removed along with that for Brigade Managers. With pay and conditions of service agreed locally subject to the introduction of a more sophisticated job evaluation programme that better reflects job size, role complexity and other duties in a way which allows inter authority comparison.	As a result of a new top team in 2015 some Gold Book conditions of service were removed for Members of the Senior Leadership Team.	Continue to ensure pay is regularly evaluated and that there are no restrictive practices as a consequence of any remaining 'Gold Book' conditions of service.

43	All Fire and Rescue Services and Fire Authorities should review the accessibility of their pay policy statements.	A updated Pay Policy was adopted by the Fire Authority in February 2017.	Continue to monitor its effectiveness.
44	The Chief Fire Officers Association should consider increasing the term of office for the role of President from 1 year to 2 or 3 years – to provide increased stability of leadership.	This is a national issue.	Continue to monitor.
45	All participants in the fire industry should adopt the principal of: “Where change is common sense it should become common practice”	We will continue to ensure our Community Safety Plan and associated business processes are proportionate and enable innovation.	Continue to monitor.