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## All Station/Brigade Reps – Briefing Note 01/16

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### RFU Circular Position Statement on Fitness Standards and Testing

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Since 2008<sup>1</sup> the Chief Fire Officers Association (CFOA) has been pushing for the fitness standard in the fire service to be set at a minimum of 42 Vo2 Max irrespective of age, gender or duty system. Originally the standard was specific for new entrants only, but CFOA, under the auspices of FireFit, continued to champion the standard for serving staff.

CFOA commissioned pieces of work undertaken by Bath University (among others) to legitimise this standard. Our view is that if you seek a desired outcome, you can ask consultants to provide evidence which supports a favourable conclusion.

Prior to this fitness standard being promoted, there was no evidence that serving frontline staff were susceptible to death in service or before the age of 60 more than employees in any other line of work.

Therefore, CFOA wished to provide a solution to a problem that didn't exist.

#### RFU Position

The RFU agrees that a fitness standard is required to provide assurance that employees are fit and healthy to undertake their role. We also support a healthy lifestyle which includes regular exercise and a balanced diet. However, we believe that the level of 42 Vo2 Max, as a minimum, is setting the bar unrealistically high.

Normal aerobic capacity broken down into gender and age groups confirm that a female aged 40+ with a 'good' aerobic capacity will not reach the level of 42 Vo2 Max<sup>2</sup> and males aged 55+ will require an 'Excellent' aerobic capacity to reach this level<sup>3</sup>.

The Home Secretary stated that she wished to provide a more diverse and representative workforce within the Fire Service<sup>4</sup>, the FireFit standard, currently at 42.3 Vo2 Max will ensure that this cannot happen due to the detrimental impact it will have on females and males aged 55+.

#### On-Call Staff

Due to the nature of the Retained Duty System (RDS), On-Call firefighters do not have the same facilities freely available to them as their Wholetime counterparts whereby they have access to fitness equipment on station during positive hours.

This means that either On-Call staff have to undertake fitness training sessions on station (where facilities exist) unpaid and in addition to their primary employment, On-Call availability and other

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<sup>1</sup> Practitioners Forum paper, Item No 08/34 presented by CFOA HR Strategic Director, Des Pritchard dated 28 October 2008

<sup>2</sup> Sykes 2006

<sup>3</sup> Ibid

<sup>4</sup> Home Secretary speech on fire reform - <https://www.gov.uk/government/speeches/home-secretary-speech-on-fire-reform>

family commitments. Where facilities do not exist on station, this will cause On-Call staff to book unavailable if the fitness facilities are based outside of their response area or where they are available within their turnout area, the practicalities do not make it viable to be able to respond to their alerter.

This is yet another example of On-Call staff being an afterthought to a Wholetime policy.

Such ill-thought out policies hinder rather than assist the recruitment and retention of On-Call staff.

### Fitness Standard

Our view is that the current suggested fitness level from FireFit of 42.3 Vo2 Max is too high and needs to be lowered to a level that still promotes an appropriate level of fitness to undertake the role (not all roles require the same level of fitness) but also isn't prohibitive for females or staff over the age of 50.

The current suggested level of 42.3 Vo2 Max is predominately based on the need to wear Breathing Apparatus which not every operational employee is required to do in practice. We believe that a more pragmatic approach is required to ascertain a standard that is fit-for-purpose rather than aiming to be risk averse in the well-being of staff.

### Implementation of a Fitness Standard

Irrespective of the fitness standard being used the RFU strongly recommends a suitable implementation programme that acknowledges the unique difficulties of its staff who work the RDS.

The RFU undertook a piece of work back in 2013 where we obtained the fitness standards in operation in each FRS. The data confirmed that the standards used varied greatly, from a service having no standard at all to a service having a standard of 42 Vo2 Max with 6 monthly assessments.

Therefore when a service proposes to implement a new fitness standard of 42 V02 max having previously having no standard at all, the need for a phased implementation process over a reasonable period of time with support mechanisms already in place is essential.

### Fitness Testing

Our experiences suggest that services in general undertake fitness assessments during training nights. Using training nights for fitness assessments is not good practice for two reasons, firstly, this time is valuable and should be dedicated to training activities, we fully understand the view that having a captive audience in one place at one time seems attractive to the service but such times should be used solely for operational competence. The second reason is that during the evening, staff will likely be experiencing fatigue compared to early times of the day. Staff should be given the best opportunity to pass their assessment rather than fail.

Another reason why services might favour staff undertaking assessments on a training night is financial, it's cheaper. However, money should not be the primary factor when choosing a time to assess staff, providing the best opportunity to pass the assessment should be the primary factor.

### Impact Assessment

Before any FRS implements a new fitness standard based on the CFOA/Firefit guidance we expect an impact assessment to be undertaken and shared with the RFU. Depending on the current arrangements the impact on staff and the likelihood of staff being taken off the run will vary, if no previous fitness standard has been in operation, moving straight to a fitness standard of 42 Vo2 Max will have an effect on the number of staff being unable to meet the standard which in turn will have an impact on On-Call appliance availability. This will have an impact on public safety.

### Employee Support

We expect the local FRS to have in place a number of measures to support On-Call staff attaining and maintaining the appropriate level of fitness, good practice and guidance can be found via the Home Office document 'Firefighter Fitness Best Practice Guide'.

### Removal from Duty

Should a member be removed from duty due to failing to meet the necessary standard, we would expect the individual to be treated by the service as they would a Wholetime colleague who was placed on light/modified duties. Therefore an On-Call firefighter in such a situation should not receive any reduction in pay for at least the first six months.

### Legal Challenge

We are regularly asked whether On-Call staff are suffering discrimination where services refuse to pay for our members to undertake fitness activities when Wholetime staff do so during their shift. Unfortunately, having taken legal advice, there does not appear to be any discrimination taking place that can be **legally** challenged. If Wholetime staff do not receive any **additional** payment for undertaking fitness activities, Retained staff could not legally argue on discrimination grounds.

If you require further advice on this matter please contact RFU HQ.

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