

**The response of the Retained Firefighters' Union to the
Independent Review of Conditions of Service for Fire and
Rescue Staff (the Thomas Review)**

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Introduction

The Retained Firefighters' Union (RFU) welcomes the independent report by Adrian Thomas into the conditions of service for Fire and Rescue Service staff. The RFU considers that there is considerable value in obtaining external and independent views on the operation of the Fire and Rescue Service, particularly regarding matters regarding the employment and remuneration of staff. The RFU is of the opinion that the Fire and Rescue Service itself can be too protective of existing terms and conditions and procedures, and unwilling to share best practice. The RFU is also of the strong opinion that given the importance of retained or on-call firefighters in providing emergency cover across the most of Britain's land mass, too little attention has been paid to protecting and enhancing the retained service both locally and nationally. The RFU very much expects that the strong endorsement of the retained service by Adrian Thomas will be carried forward into supportive policies at both the local and the national level.

Retained firefighters provide a professional, cost effective emergency response. Locally based they are drawn from, and support, their communities. While predominately based in rural areas, the retained model has application in more densely populated areas, and can be used to address the longstanding issue of creating a more diverse workforce. Firefighting is a noble profession. It requires skill, discipline, teamwork, and personal resilience. The opportunity for members of the public to engage in firefighting, not only strengthens local community cohesion, but provides younger people in particular, with invaluable life skills which they can take forward into the future.

We will address each of the recommendations in the report that are related to retained firefighters.

Tristan Ashby

Chief Executive Officer

The working environment (section 4)

- 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.**

The RFU strongly support this recommendation. Too often we have reports of retained firefighters feeling isolated and not a full member of their fire and rescue service. Senior management in fire and rescue services need to ensure that they fully understand the views of their retained firefighters and address issues which may be hidden or have previously been 'swept under the carpet'. For middle and senior managers, their understanding of the RDS for a brief period 10, 15 or 20 years ago, doesn't reflect the pressures and restrictions faced by those firefighters serving within the RDS today, they are completely different and a lack of acknowledgement and appreciation of this fact should not be allowed to continue.

The requirement to have such surveys should be incorporated as a 'must do' into the Fire and Rescue National Framework, and the results published on a national basis. Given the special circumstances retained firefighters face, such a survey should have separate sections for retained firefighters. The survey should be prepared centrally to allow direct comparison between fire and rescue services.

- 2. Early engagement with employee representatives at the earliest opportunity should be a feature of all change programmes.**

The RFU supports and has promoted the benefits of early engagement with the management regarding change programmes. The RFU has particular issues given that our members are part-time and largely unpaid in their union role, unlike other unions who benefit from undertaking engagements during their working time or even are seconded into a full-time union position.

Management should also take into account that expecting retained staff to participate in meetings during the working day is problematic due to primary employment commitments. Any lack of participation should not be seen as a lack of interest but restriction in their ability to be available at the same time as those whose full-time roles are within the service.

If fire and rescue authorities are serious about employment representative engagement within modern industrial relations, paid facility time should be provided to smaller union representatives and account should be taken when meeting times are arranged.

3. Fire and rescue services should deploy training in effective change management, leadership and employee engagement in addition to Industrial Relations.

The RFU agrees that training should be made available for effective change management, leadership and employee engagement. The RFU has been disheartened that many senior staff have been appointed in areas where there are a high number, or even predominantly retained, without having any experience of managing retained firefighters. This has had poor consequences for the retained services in these areas. Where a service has a high number of retained personnel, the senior officers should be able to demonstrate a profound awareness of retained issues prior to being appointed.

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.

The RFU agrees that information direct to employees by management is essential. Special arrangements should be made in brigades to engage with the retained given the limited opportunities to address them as a group. Retained firefighters are brought together as a captive audience once a week for 2-3 hours during their drill/training night. During this time personnel are largely performing operational refresher training and therefore time is limited to absorb relevant communication from outside of the station. In this technological age more can and should be done to fully utilise modern technology to allow greater remote access to relevant pieces of information.

This may require some additional expenditure but we consider that it will be handsomely returned through higher retention and availability rates. Fire and rescue authorities need to recognise that retained firefighters provide a cost effective service and that investment in it produces excellent financial returns.

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 firefighter

The RFU supports this recommendation, particularly with regard to flow of information for retained firefighters. All too often the information from an original source is different to that which is received by the intended recipients. The service as a whole should consider producing good practice guidance on communicating with retained firefighters that specifically acknowledges the difference between operational staff who are 'at work', with additional resources for on average 42 hours per week and on-call staff who have limited time in comparison.

Services need to better utilise modern technology to enable on-call staff to have fast and reliable access to information internally and remotely.

6. Management performance objectives should be hard wired to the results of an annual employee engagement and communication survey.

The RFU strongly endorses this recommendation. A number of services are using the appraisal system as a 'tick-box' exercise providing no real benefit to the employee or employer. The welfare and career aspirations of firefighters should be at the forefront of a modern workable workforce strategy.

Succession planning is almost non-existent for retained workforces which can be another factor in causing appliances to be off the run due to a lack of skills. Better planning in this area will assist the recruitment and retention of on-call staff.

7. Unconscious bias training should be rolled out across the fire and rescue service.

We agree with this recommendation. Retained firefighters often suffer from ill-judged preconceptions regarding their professionalism and commitment. Such training will help to combat this amongst senior and middle management.

8. The leadership of the Fire and Rescue Service (represented by the Local Government Association and Chief Fire Officers Association) and the 15 employee representatives together with special interest groups representing women and black and minority ethnic firefighters should publish a memorandum of understanding as to how people will be treated.

We consider that this would be a valuable contribution to the fire and rescue service. A similar memorandum of understanding should be drawn up for retained firefighters. Despite many public declarations from principle officers and elected members, many retained firefighters still consider themselves to be treated by their superiors as inferior compared with their full-time colleagues.

Skills and experience can count for nothing when a retained firefighter applies for a full-time role within their own service, this demeans their position within the workforce and should be immediately addressed by local employers.

9. Research should be directed at how the cadet scheme could be utilised to widen the diversity of the service and how the interest in supporting the fire service can be maintained when the cadets leave the scheme (impacting both equality and potentially the retained duty system).

We support this proposal. Fire and rescue authorities should look to introduce cadet schemes in areas served by retained firefighters as a means of integrating the service more closely into the community and recruiting more members.

- 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.**

The RFU supports such an approach. By having a register of primary employers for their retained firefighters, services will be able to comply with the Working Time Regulations, better understand and appreciate the complexities of how retained firefighter contracts need to be flexible to suit the needs of the individual and the service, keep primary employers abreast of relevant information during protracted incidents where employees are unavailable for long periods of time and demonstrate their appreciation to primary employers for allowing their staff to be released to respond to emergency incidents.

- 11. Implement a single technological/equipment evaluation facility.**

Such an approach would provide a robust, cost effective evaluation process that all FRSs should be able to access. We therefore support such a proposal.

Documented conditions of service (section 5)

- 12. The fire and rescue services 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.**

The RFU considers that a programme increasing awareness of the role and activity of retained firefighters is needed.

- 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.**

The RFU considers that the situation with regard to changing role maps is too cumbersome, and can impede change in the fire and rescue service. The RFU has always supported widening the role of firefighters especially with providing an emergency medical response. It is a tragedy that many fire and rescue authorities have not taken this up, especially in rural areas where ambulance call-out times can be longer.

Current role-maps act as a barrier to the evolution of the role of a 'firefighter'. Some services choose to follow the national occupational standards 'to the letter', limiting the opportunities that are available to provide a service that would provide greater public protection. By slimming down the content within the grey book, local services would have greater flexibility to provide appropriate services to the public and therefore future-proof the sustainability of the fire service.

However, we would strongly suggest that a national pay structure remains in place to ensure that pay is appropriate to the risk undertaken by operational employees, with the ability for services to utilise a suite of 'add-ons' for additional responsibilities where there is local demand.

- 14. Minimum night time shift hours should be removed from the Grey Book**

The RFU has no view on this.

- 15. Disagreements regarding additional payments, collaborations or implementation of new technologies and working practices should be resolved locally without resort to the national advisory panels.**

The RFU considers that the pace of change in the fire and rescue service has been too slow. We doubt if the existence of national advisory panels makes much of a difference to this, one way or another.

- 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 on industrial relations.**

We fully support this proposal. We consider that there should be recognition from ALL trade unions and employers that those who wish to continue to work during industrial action should do so without fear of intimidation or victimisation.

In addition, the RFU welcomes the opportunity to fully engage with employers and other employee representatives in a collective environment. At present some local employers undertake separate meetings with other representative bodies on the same or similar matters without any justification. This is inefficient in terms of staff time, resources and in direct conflict with the diversity agenda where all opinions are valued.

- 17. The ability to compulsorily move an individual from the flexible duty system should be introduced.**

This is not a matter for the RFU.

Industrial relations (section 6)

- 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'.**

The RFU have never been members of the National Joint Council (NJC), and do not consider that its current way of operating encourages change. In particular the concentration of the NJC on whole-time firefighter issues has been harmful to the retained service. We would have no objection to the NJC being disbanded in its current form with an alternative arrangement that was, (i) transparent, (ii) manageable in size, (iii) included representations from smaller unions such as the RFU and the FOA and (iv) provided greater opportunity for genuine open debate between all parties.

- 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.**

The RFU would need to be convinced that any regional body would have the interests of the retained firefighter at heart. A smaller replication of the national NJC would not be supported.

- 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.**

The RFU supports this concept, but recognises that negating skills at the local level will have to be increased significantly. We would support joint training sessions between employer and employee representatives to provide a greater understanding of both roles involved within the negotiation process.

- 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 afforded under the Act to unions when their collective strike action, or action short of strike, impedes the fire and rescue service from making an emergency response. The right to strike being retained for non-emergency activities.**

The RFU recognises that it is a matter of conscience as to whether firefighters strike or not. The RFU's constitution prevents its members from taking strike action, and we

would warmly encourage other representative bodies to take a similar approach. That said, we also recognise the right of people not to take strike action without fear of harassment or intimidation. We would like to see a strong commitment to this from employers and other trades unions in the fire and rescue service.

- 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 employees impacted a no strike agreement in emergency situations. The right to strike being retained for non-emergency activities.**

The RFU fully endorses such an approach.

- 23. The chair of the National Joint Council should instigate an independent review of the structure and representative make-up of the National Joint Council 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.**

The current arrangements for membership of the NJC are manifestly unfair. It is a travesty of good governance that they continue in their existing form. If it is decided that the NJC should be retained, then it should be fundamentally reformed to allow a greater diversity of representation and introduce a level of transparency that provides retained personnel with the confidence that their voice is heard at a national level and that they are treated as equals among their full-time colleagues.

Retained Duty Systems (section 7)

- 24. Fire and Rescue Authorities should adopt duty systems and staffing which align fire fighter availability to the planned work load (e.g. community safety) whilst providing response cover appropriate to the Integrated Risk Management plan should be encouraged.**

The RFU strongly endorse this approach. Fire and rescue authorities should publish the number of calls made by each fire station to increase transparency regarding resource allocation.

- 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 fire and rescue service.**

The RFU strongly endorse this approach. Fire and rescue authorities must be more accountable for how they deploy scarce resources. The strategic makeup of a station workforce should be based on a number of factors, not least the volume and type of calls received, rather than being based on the prejudices of senior politicians or officers within the authority.

The production of such a statement should be a requirement of the Fire and Rescue National Framework which would provide greater justification for the use of different types of duty system on stations.

- 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 crewing or co-working with whole-time personnel.**

We strongly support this approach. We remain disheartened that some fire and rescue authorities still do not allow mixed crewing.

- 27. Legislation should be brought forward to provide employment protection to fire fighters employed on the Retained Duty System. This legislation is already in place for other groups (military reservists, magistrates and so on).**

The RFU support the intention behind this proposal, but would be reluctant to see further burdens placed upon the employers of retained personnel without further evidence of the benefits that this would bring.

28. A national awareness programme for retained duty system personnel should be produced.

The RFU strongly endorse and have been promoting such a programme for over a decade. While we fully understand that such an initiative requires significant funding, the status-quo whereby local fire authorities are expected to raise awareness simply doesn't happen.

Unless the general public are aware what a Retained/On-Call firefighter is, how they function and that their local resource is a Retained/On-Call unit, they will not aspire to become one.

29. Trial and evaluate, in a limited number of fire and rescue services, the use of an annual bounty payment for employers of retained firefighters.

We strongly endorse trialling new ways of remunerating and encouraging retained firefighters to join and remain in the service. The current model is not necessarily the best or most effective. We consider that local fire and rescue authorities should use their discretion more in creating reward systems to suit their local environments. We would also suggest that local authorities listen to the views of their local retained staff who are likely to wish to contribute to the discussion as would we.

Management of the Fire and Rescue Service (section 8)

- 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 becoming burdensome on operational delivery.**

The RFU sees no correlation between the number of fire and rescue authority members and the overall efficiency of the fire and rescue service. We would welcome more interaction between elected members and the fire stations that they represent, we would also suggest that an education programme is in place to allow elected members to fully understand their local retained duty system functions on a daily basis and the logistics involved for retained firefighters to juggle their emergency response commitments with their primary employment and family obligations.

Such an understanding and appreciation of the commitment involved by their retained staff would assist elected members in making informed decisions at council level.

- 31. Recruitment and selection academic standards should be immediately raised.**

We recognise the need to create a new leadership cadre in the fire and rescue service. We consider that the same concerns do not apply to the retained who are not necessarily embarking upon a leadership career in the service, but often simply wish to serve their communities. We consider that increasing entry standards for the retained will have nothing but a negative effect on recruitment. We would also wish to see those that have served their local communities well as retained firefighters, given the opportunity to apply for full-time posts without additional examination requirements. This will help maintain the attractiveness of the retained service, and reward those already committed to it.

- 32. Fire and rescue services should create critical mass by collaborating in recruitment including lateral recruitment into 'fast track' management programmes.**

The RFU strongly support collaboration between fire and rescue authorities. Fast track management programmes should be open to retained firefighters who are likely to provide an even greater set of skills and experience from within their primary employment.

- 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.**

We strongly support better workforce planning. For fire officers to achieve senior status in a fire and rescue service that employs a significant proportion of retained firefighters,

they should have experience in successfully managing these employees who work a unique duty system.

- 34. Where collaboration could lead to more formal mergers, Government should find transformational funding to support the creation of larger fire and rescue services that offer critical mass in areas of technology introduction, recruitment, succession and development.**

The RFU considers that such an investment could deliver financial savings in circumstances where there is a robust business case to do so. There remain a number of local fire and rescue services that cannot justify, on financial grounds, to continue as a stand-alone organisation.

- 35. Fire and rescue services should maintain an up-to-date strategic workforce plan.**

The RFU endorses this recommendation. It is imperative for any successful organisation to have a clear understanding of the makeup of its workforce, its strengths and areas for development. Services need to become more pro-active if they are to forward plan and create a sustainable workforce during both normal day-to-day activities and during spate conditions.

- 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 part of a strategic workforce development plan.**

The RFU endorses this recommendation, and considers that such opportunities should be offered to the retained.

- 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 fire fighters 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'.**

The RFU strongly endorses this approach, and calls for more creativity and flexibility in the delivery of scarce resources. Removing these restrictions will create a wider pool of eligible candidates to join the service and make a valuable contribution to the health and wellbeing of local communities. Not every operational employee needs to fulfil all of the current components of an operational firefighter.

Currently if a firefighter is unable to fulfil part of their contract, i.e. the wearing of breathing apparatus, they are likely to be dismissed from the service, causing the employer to lose an experienced, highly trained member of staff. These employees should be treated as an investment (in terms of training undertaken) by the employer

and every attempt should be made to focus on utilising the skillset that they preserve rather than the one that they do not.

- 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 fire fighter retains their job albeit without that competency).**

The RFU strongly endorses this approach. By reducing the expectation for ALL firefighters to be able and willing to perform the same duties to the same standard, suddenly a wider pool of people become eligible to join the fire service. There are already situations where operational personnel who have become unable/unsafe to wear breathing apparatus equipment are maintained in role through adjustments to the role. Such practice enables the service to retain an experienced and valued crew member who is able to undertake other important duties as a crew member.

Having a basic core competency pay structure enables personnel to be appropriately financially recompensed for additional duties such as driving and co-responding, incentivising more responsibly. The current structure is far too restrictive and needs to allow for greater flexibility in terms of role related pay.

- 39. To create and maintain (in the face of decreasing numbers) a cadre of managers capable of becoming future fire and rescue service leaders, a standardised industry wide approach to leadership development should be adopted.**

The RFU considers that a vital element of developing managers for the future is an understanding of the retained duty system and the issues involved with it. The current situation witnesses middle managers who are directly responsible for a group of retained stations, having either no experience of working the RDS or having worked as a retained firefighter some 10/20 years earlier for a short period of time. The pressures and expectations for the RDS role have changed enormously over that time.

Suitable managerial training will help to assist and better understand what is being asked and expected of retained firefighters in a modern working environment with the pressures of modern day life.

- 40. Fire and rescue services not using the Executive Leadership Programme should reconsider doing so.**

The RFU supports leadership programmes. Unfortunately these are not currently open to retained firefighters, perhaps there is an opportunity for this omission to be reviewed?

41. A lateral, industry wide, recruitment scheme should be created. This will fast track managers through the experiential requirements and into senior roles.

The RFU considers that any such recruitment should be open to existing retained firefighters.

The subject of opening up senior managerial roles to external candidates had been raised by Sir George Bain in his 2002 report. Yet we are aware of very few circumstances where this process has taken place other than a few Chief Officer/Executive roles. To limit the talent pool to just those contained within the fire industry is likely to limit the innovation that is needed within senior managerial roles to drive the sector forward. While we support this key finding we believe that most services continue to deliberately ignore the wealth of talent they have within the RDS, most of whom have valuable private sector experience that is currently underutilised/overlooked.

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.

See response to key finding 43.

43. All fire and rescue services and fire authorities should review the accessibility of their pay policy statements.

The RFU endorses this recommendation.

While there is a national structure in place for operational staff up to the role of Area Manager, we do have some concerns regarding the pay levels of some brigade managers across the UK. There does not seem to be any correlation between performance and pay and we very much hope that more can be done to create a better balance between the talent available, the role on offer and the performance of the individual. To have a situation where a Chief Fire Officer is paid more than the Prime Minister, seems disproportionate to say the least.

We also feel it necessary to raise the matter of the role of the local Chief Fire Officer, where the individual undertakes a large amount of time working for a private company/charity. While we fully appreciate the government's desire to rely on a 'professional body' to drive the sector forward and therefore lead itself, we are aware of situations whereby a CFO/Chief Executive undertakes a large amount of work outside of their local authority while the performance of their local authority could be greatly improved. Before Fire Authorities allow their highest earner to undertake work outside

of their own service, they should ensure it is not to the detriment of the job they were originally appointed to undertake.

- 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.**

The RFU has no observations on this matter.

- 45. Finally all participants in the fire industry should adopt the principal of: - “Where change is common sense it should become common practice”.**

The RFU heartily endorses this sentiment. We would like to highlight a few generalisations within the fire industry that we have witnessed over a number of years. Fire services have a habit of indulging in self-congratulation, there is no doubt that services undertake some fantastic work across a number of public protection areas, but they are far too quick to highlight a proposal as being ‘good practice’ without any hard evidence to back up this assertion. The sharing of genuine ‘good practice’ is the exception rather than the norm which we believe to be primarily down to the individual service/management wishing to be seen as creating good practice rather than replicating it (see previously point).

In general, fire services suffer with the ‘WADI’ principle (We Always Done It), leading to processes and procedures being undertaken without any real understanding as to why. As middle and senior management is made up of full-time officers who have had long careers in the fire industry it is natural to be comfortable undertaking the same methods to perform their role. We hope that by having sideways appointments and utilising the RDS more, in which operational staff have work experience outside of the fire industry, the attitudes towards different ways of working will be embraced.

In summary

We believe that the independent review undertaken by Adrian Thomas provides the sector with an opportunity to move forward with meaningful reform of the fire service, allowing for greater flexibility within the workforce which will deliver a modern and proportionate emergency service to the public.

As an organisation we are keen to work with partners in a positive, professional and modern industrial relations environment where collaboration is the key motivation to achieve beneficial outcomes.

We fully understand that the review will not be welcomed by every individual or organisation within the fire sector, but that should not deter a positive attitude among genuine 'leaders' to make the necessary changes that are needed for the sector to remain relevant in the 21st century.

Today provides stakeholders with an opportunity to modernise the fire service in a way that has failed to be taken in the past. Let's hope that 10 years from now this will not be viewed as another missed opportunity at national level.