

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

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

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

**To: Chief Fire Officers
Chief Executives/Clerks to Fire Authorities
Chairs of Fire Authorities
Directors of Human Resources at Fire Authorities

Members of the National Joint Council**

9 December 2008

CIRCULAR NJC/14/08

Dear Sir/Madam

TECHNICAL ADVISORY PANEL (Strathclyde, October 2008)

1. Section 4, part A, paragraphs 3, 4 and 5 of the Scheme of Conditions of Service (Grey Book) outlines the principles on which duty systems should be based.
2. Where local agreement cannot be reached between the fire and rescue authority and the recognised trade union the difference can be referred to the NJC's Technical Advisory Panel (TAP) whose role is to seek agreement, but where that is not possible, to make recommendations.
3. Professor John Gennard, who is assisted by the Joint Secretaries, currently chairs the panel.
4. The TAP met on 13 October 2008 to consider a referral from Strathclyde Fire and Rescue Service.
5. A copy of the recommendation, which is applicable only to Strathclyde Fire and Rescue Service, is attached. .

Yours faithfully
SARAH MESSENGER
MATT WRACK
Joint Secretaries

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

TECHNICAL ADVISORY PANEL (TAP)

**PARTIES: STRATHCLYDE FIRE AND RESCUE SERVICE (SFR)
 FIRE BRIGADES UNION (FBU)**

1. The TAP met at Local Government House, Smith Square, London on 13th October 2008.
2. In accordance with the Grey Book, Section 4, Part A, Paragraph 5, the TAP encouraged the parties to make a voluntary agreement in order to settle the difference between them concerning whether the introduction of a Five Watch duty system to be piloted from 12th January 2009 complies with Section 4, Part A, Paragraph 3(4) of the Grey Book, namely "The Duty System should have regard to the special circumstances of individual employees and be family friendly". The remaining three principles were not a matter of disagreement and were therefore not included in the referral to TAP.
3. In the absence of an agreement, the TAP is required to make recommendations having regard to the deployment of resources that the Service has determined is necessary in order to implement its IRMP and the four principles set out in the Grey Book, Section 4, Part A, Paragraph 3.
4. In the event, the parties were unable to reach agreement and accordingly the Independent Chair of the TAP is required to make recommendations.
5. SFR proposes to pilot a five watch duty system applicable to 450 full-time operational personnel within the roles of firefighter to watch manager in two of Strathclyde's ten areas. 9 of the 450 personnel are women. The pilot is to last for one year. The system is designed to ensure that the correct numbers of staff are on duty at any given shift to meet normal crewing requirements and any spare capacity is available for non-operational duties.
6. How the five watch duty system will operate is well understood by the parties. The difference between them centres on Short Notice call under which personnel may be contacted up to ninety minutes prior to and thirty minutes after the start of the shift and be directed to report for duty if availability is insufficient. Alternatively where availability levels are sufficient personnel may be told they are not required. In such instances personnel will be recompensed for any inconvenience. SFR envisages that an individual would be placed on short notice call on average four times per year and notice of the potential dates will be provided at the beginning of the year.

7. The FBU considers the proposed pilot is not family friendly as it could involve their members in having to re-arrange hastily carer provision at short notice, is discriminatory in that it is women rather than men that take responsibility for care arrangements and has little regard to the special circumstances of individual employees.
8. SFR have provided a degree of flexibility in their proposed new shift pattern to off set possible negative impact on family life, including head for head shift and leave exchanges and retention of time off in lieu.
9. The recommendations are as follows:
 - a. The 450 personnel involved in the pilot to begin on 12th January 2009 should receive their duty pattern for the whole of 2009 no later than 7th November 2008.
 - b. The Joint Working Party should:
 - i. monitor at least quarterly the progress of the pilot
 - ii. agree jointly at the outset the criteria by which the decision will be made as to whether the pilot has been a success or not
 - iii. commission a joint survey amongst the personnel participating in the pilot as to their views on the working of the pilot. The survey to be undertaken by an organisation independent of the parties
 - iv. carry out a concurrent pilot scheme within one 'Area' where granting of leave will be handled centrally whilst the current 2-2-4 shift system remains in place. This is to assess whether the management objectives can be achieved without movement to the five watch duty system.
 - c. Nine months in to the pilot, on the basis of a thorough joint evaluation, a decision will be made as to the success or otherwise of the pilot. This shall include whether there has been any detrimental impact on the personnel involved in the pilot and if so whether there may be some financial recompense in compensation as well as consideration of the outcome of the leave management in a non-pilot area as defined in b(iv) above. There will still, whatever the outcome of the evaluation, be time for a reasonable amount of notice to be given to staff as to the Watch Duty System to operate from January 2010.

Professor John Gennard
Independent Chair
Technical Advisory Panel
22 October 2008