

Circular number	9/2010	Date issued	16 March 2010
This circular is	For information	No response required	
This circular is	Relevant to the National Framework		
Status	This circular announces the publication of the findings from a survey to identify the impact of the rest and break requirements of the EC Drivers' Hours and Tachograph Rules on Fire and Rescue Services.		

The EC Drivers' Hours and Tachograph Rules for Goods Vehicles (Regulation 561/2006); Analysis of Fire and Rescue Service Survey and Advice

Issued by:

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Addressed to:

**The Chair of the Fire and Rescue Authority
The Chief Executive of the County Council
The Clerk to the Fire and Rescue Authority
The Commissioner of the London Fire and Emergency Planning Authority
The Chief Fire Officer**

Please forward to:

**Heads of Human Resources
Heads of Recruitment
Retained Duty System Managers
Retained Duty System Liaison Officers**

Summary

Communities and Local Government and the Chief Fire Officers' Association have surveyed the Fire and Rescue Service to identify the potential impact of the EC Drivers' Hours and Tachograph Rules for Goods Vehicles, particularly on the Retained Duty System. The report issued under cover of this circular reflects the findings of the survey returns for England and provides advice on meeting the provisions of the Rules.

For further information, contact:

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1.0 Introduction

- 1.1 The EC Drivers' Hours and Tachograph Rules for Goods Vehicles (Regulation 561/2006) came into effect on 11th April 2007. These replaced Council Regulation 3820/85 on drivers' hours and aimed to clarify the rules on driving.
- 1.2 The purpose of the Rules is to limit driving time and ensure that proper break and rest periods are taken. The Rules do not provide an exemption from the daily and weekly rest requirements for firefighters who drive vehicles that fall within the scope of the legislation, whether in their primary employment (mainly applicable to the Retained Duty System) or their secondary employment (for example, wholetime duty system firefighters who may have a second job involving driving in-scope vehicles).
- 1.3 In response to concerns from within the Fire and Rescue Service that the Rules (i.e. mainly the daily and weekly rest requirements) could have the potential to impact on the recruitment and retention of firefighters employed on the Retained Duty System who drive in-scope vehicles, Communities and Local Government and the Chief Fire Officers' Association surveyed all Fire and Rescue Services.

2.0 Summary of Findings

- 2.1 Communities and Local Government and the Chief Fire Officers' Association have analysed the questionnaire returns from 42 Fire and Rescue Services in England that employ Retained Duty System firefighters. The summary of the survey findings, together with advice on meeting the provisions of the Rules (drawn up in consultation with the Department for Transport and CFA) can be found on the CLG website at:
<http://www.communities.gov.uk/publications/fire/drivershoursrules>

3.0 Enquiries

- 3.1 If you have any queries about this circular please contact either Mona Shah on 0303 44 42950 or John Dackombe on 0303 44 42945.

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