Justice Committee

Post-legislative scrutiny of the Police and Fire Reform (Scotland) Act 2012

Written submission from the Fire and Rescue Services Association

Please accept this letter as the FRSA’s written response to the Justice Committee’s call for evidence, regarding the specific questions raised, our response pertains to questions 3, 4 and 5 which are ‘fire’ related.

Overview

The Association is generally supportive of the direction moving from eight separate fire and rescue services to a single service. There are obvious benefits in terms of operational consistency, administrative practices and the standardisation of terms and conditions. However, the breadth of benefit is dependent on how such a change is managed and communicated to its employees.

What is vitally important is that while there is now one Scottish Fire and Rescue Service, that there doesn’t become a service(s) within a service. There is still some way to go before the full benefits of operating as one service/employer can be realised and progress has been very slow. For example the standardisation of terms and conditions still have not been agreed/implemented leading to different practices and payments continuing across the country.

Question 3. In your view, what have been the consequences of the 2012 Act for the fire and rescue service? Please set out your views on (a) any benefits and (b) any negative consequences of the 2012 Act for the fire and rescue service.

FRSA response

The FRSA welcomed the move to create one fire and rescue service in Scotland, it is our view that it provides genuine opportunities to improve service delivery for the local communities and standardise procedures. However, the reality has been that the service has become an extension of one service (formally Strathclyde) rather than a new identity. This geographical focus has been to the detriment of other areas across the country, with some operational staff feeling isolated within the organisation.

The perception is that standards have dropped both in terms of training and equipment provision. When this is challenged by our members the common response is that current circumstances are due to ‘budget restraints’. A recent example is spare appliances being put back into the frontline and then on testing finding out that they don’t work. There is now a greater difficulty in supplies and PPE with delays becoming the norm.

In terms of health and safety and sustaining a minimum standard of emergency provision to the public, budgetary issues should not be an excuse.
Transformation

As a modern representative body, we welcome any change that furthers the provision of service to the public and we have long supported Co-Responder schemes in England and Wales. We therefore welcome the move to introduce Emergency Medical Response (EMR) across the service where a need has been identified.

As an organisation that represents Retained/On-Call firefighters, our members have sustained a reduction in wages due to a fall in call levels. The introduction of EMR calls for our members will help to overcome this shortfall and make the service an attractive proposition to a wider pool of potential recruits.

Additionally, we note that at present there is a lack of formal involvement in arrangements for Marauding Terrorist Firearms Attacks (MTFA). The FRSA welcome the intent to contractually incorporate such additional duties into the firefighter rolemap as part of the transformation agenda.

Recruitment and Retention

Due to the structure of the Wholetime Duty System (WDS), the ability to attract and retain provides no problem to the service, however the same cannot be said of the Retained Duty System (RDS) which has suffered from Recruitment and Retention issues for a number of years. Statistics will paint a picture that the number of starters and leavers within the RDS in Scotland is balanced, however, scratch under the surface and it becomes clear that the number of frontline RDS staff in the service is significantly understrength.

This causes some appliances to be off-the-run (unavailable for emergency response) during periods of the day, in turn this adds further pressure to those that are based at understrength stations to provide availability over and above their contractual obligations. Such pressure is not sustainable and if allowed to continue provides mental health issues, low morale and ultimately resignation.

While this is not a unique problem to Scottish Fire, the work that has and is being undertaken to overcome the recruitment and retention problem is inadequate.

The service is successful in recruiting people into the role of a Retained Firefighter but the length of service for new starters is on average quite low (approx. 4-6 years) compared with recently retired or due to retire staff having completed 20-30 years or sometimes even longer. There is no transferable qualification for new recruits to attain during the development process which could make the role more attractive to the public and provide reason to remain in the role longer than the current average. There is also a glass ceiling in terms of promotion above the role of Retained Watch Manager. There should be a natural opportunity for Retained Watch Managers to be able to apply for the Wholetime Station Manager role exactly the same as Wholetime Watch Managers are able to. It is perverse that a situation can arise whereby a Wholetime Station Manager is responsible for a number of Retained stations but has never actually worked the RDS in their career.
There is also no obvious succession planning or development package in place to adequately prepare Retained Firefighters to fill manager roles on local stations, leading to skill shortages and an unwillingness to aspire to become Crew/Watch Managers.

It is our view that the Retained establishment is below what is currently needed to fulfil its obligation to the public, if the service expects to widen the role of a firefighter, there will need to be a further increase in the Retained establishment to provide adequate numbers of staff to fulfil the additional services to the public. Put simply, as the situation currently stands there is not enough time for every firefighter to be trained and be proficient in all aspects of the role plus additional expectations from the broadening of the role, especially at stations that already provide specialist response (water rescue etc.). To ensure the transformation agenda is successful, there would need to be an overhaul of what is expected of Retained Firefighters going forward.

For example the current administrative burden on stations is time-intensive and detracts from valuable training time, the same can be said of health and safety visits and audits of stations. Whilst these tasks need to be performed we have to question by whom and how they could be undertaken differently to alleviate some pressure on frontline staff to free up valuable training time.

**Management**

Some middle managers have responsibility for overseeing a number of fire stations (which could be as high as nine stations) sometimes over a very wide area which then compares with other middle managers who do not have any such responsibility but do provide incident command cover over a relatively small area. This causes the manager with responsibility to stations to be spread very thinly and rarely available to managers directly on fire stations. This has caused a disconnect between the fire stations and the middle manager, or the conduit between the station and the employer.

While we are aware that the service is proposing to create approx. 60 full-time posts for the RDS and this could go some way to alleviate some of the issues raised in this paper, it is vital that the function of these posts are tailored in a way to provide genuine support where it is needed and not be diluted down over a period of time as has been witnessed in a number of other services in England.

**Industrial Relations**

While the FRSA has been afforded recognition within Scottish FRS on a par with both the Fire Brigades Union (FBU) and the Fire Officers’ Association (FOA), the reality is that the service is paying lip-service to this formal agreement. The FBU continue to run the rule over service management, with the perception that nothing is progressed without their approval, irrespective of the issue up for negotiation/consultation and the benefit to the workforce and/or public. While we would expect early meaningful dialogue between employer and employee representatives, the current environment is more reflective of 1970s industrial relations than it does the 21st century. Unfortunately we see little appetite for change.
in this area. An example of this arrangement is where the FBU currently refuse to sit
in the same room as other representative bodies during transformation meetings,
preferring a separate meeting to discuss the exact same issues. The service
continues to comply with this request causing a duplication of these meetings.

The most recent Trade Union Facility Time Report highlights that there are five
employees who spend 100% of their working time on union duties, we understand
that these are all FBU officials.

Despite making numerous requests to the service for one post similar to that
afforded to the FBU, we have been refused. If the service was serious about genuine
engagement with all representative bodies, it would provide reasonable facilities in
which to do so. Our members and officials are Retained Firefighters with full-time
occupations yet all of the meetings that require representative body involvement are
held during office hours Monday – Friday. So despite the RDS crewing 67% of Fire
Stations in Scotland (WDS crew 21%) the service focuses on its Wholetime staff
disproportionately. It is therefore no wonder that the RDS is suffering with
Recruitment and Retention issues.

**Question 4.** Have the policy intentions of the 2012 Act in relation to the fire and
rescue service been met?

**FRSA response**

See answer to previous question.

**Question 5.** Are there any other issues you would like to raise in connection with the
operation of the 2012 Act?

**FRSA response**

See answer to question 3.

Please excuse the short response to the call for evidence, however, we were not
notified of the process until today, giving little time to formulate a more detailed
response.

If you wish to follow up on our reply, please do not hesitate to contact me.

Tristan Ashby
Chief Executive Officer
Fire and Rescue Services Association