

AGENDA ITEM:

<b>REPORT TO:</b>	<b>MERSEYSIDE FIRE &amp; RESCUE AUTHORITY MEETING</b>
<b>DATE:</b>	<b>21<sup>ST</sup> JULY 2011</b>
<b>REPORT NO.</b>	<b>CFO/072/11</b>
<b>REPORTING OFFICER:</b>	<b>DEPUTY CHIEF EXECUTIVE &amp; DEPUTY CHIEF FIRE OFFICER</b>
<b>CONTACT OFFICER:</b>	<b>GROUP MANAGER LOMAX, TIME AND RESOURCE MANAGER, EXTN. 4303</b>
<b>OFFICERS CONSULTED:</b>	<b>MIKE CUMMINS, CONSULTATION MANAGER</b>
<b>SUBJECT:</b>	<b>GROUP MANAGER/STATION MANAGER REDUCTIONS</b>

<b>APPENDIX A</b>	<b>TITLE:</b>	<b>Risk Assessment</b>
<b>APPENDIX B</b>	<b>TITLE:</b>	<b>Attendance Management Report Cover Shortfalls</b>
<b>APPENDIX C</b>	<b>TITLE:</b>	<b>Revised Risk Assessment (FOA)</b>
<b>APPENDIX D</b>	<b>TITLE:</b>	<b>Grey Book Compliant Duty System</b>
<b>APPENDIX E</b>	<b>TITLE:</b>	<b>Mike Hagen Letter FOA 17<sup>th</sup> May 2011</b>
<b>APPENDIX F</b>	<b>TITLE:</b>	<b>FOA Position Statement</b>
<b>APPENDIX G</b>	<b>TITLE:</b>	<b>Service Response FBU Letter 26<sup>th</sup> May 2011</b>
<b>APPENDIX H</b>	<b>TITLE:</b>	<b>FBU Letter 26<sup>th</sup> May 2011</b>
<b>APPENDIX I</b>	<b>TITLE:</b>	<b>Service Letter FBU 14<sup>th</sup> June 2011</b>
<b>APPENDIX J</b>	<b>TITLE:</b>	<b>Service Letter FBU 16<sup>th</sup> June 2011</b>
<b>APPENDIX K</b>	<b>TITLE:</b>	<b>Equality Impact Assessment</b>
<b>APPENDIX L</b>	<b>TITLE:</b>	<b>Mike Hagen Letter 10<sup>th</sup> March 2011</b>
<b>APPENDIX M</b>	<b>TITLE:</b>	<b>17<sup>th</sup> June 2011 FBU Position Statement</b>

**ATTACHED –HARD COPIES**

Outcomes

1. The reduction in the number of Station Managers/Group Managers (SM/GM) maintains an appropriate number (4 x SM; 2 x GM) for incident command purposes and contributes to the budgetary savings targets required by the Authority at its meeting of the 17<sup>th</sup> February 2011.

Purpose of Report

2. To seek a decision from Members for a reduction in the number of Group Managers from 10 to 8 and the number of Station Managers from 20 to 16.

## Recommendation

3. That Members approve a reduction in the number of Group Managers from 10 to 8 and the number of Station Managers from 20 to 16, and open a period of negotiation with representative bodies (12 weeks) to address any contractual issues arising from this decision.

## Introduction & Background

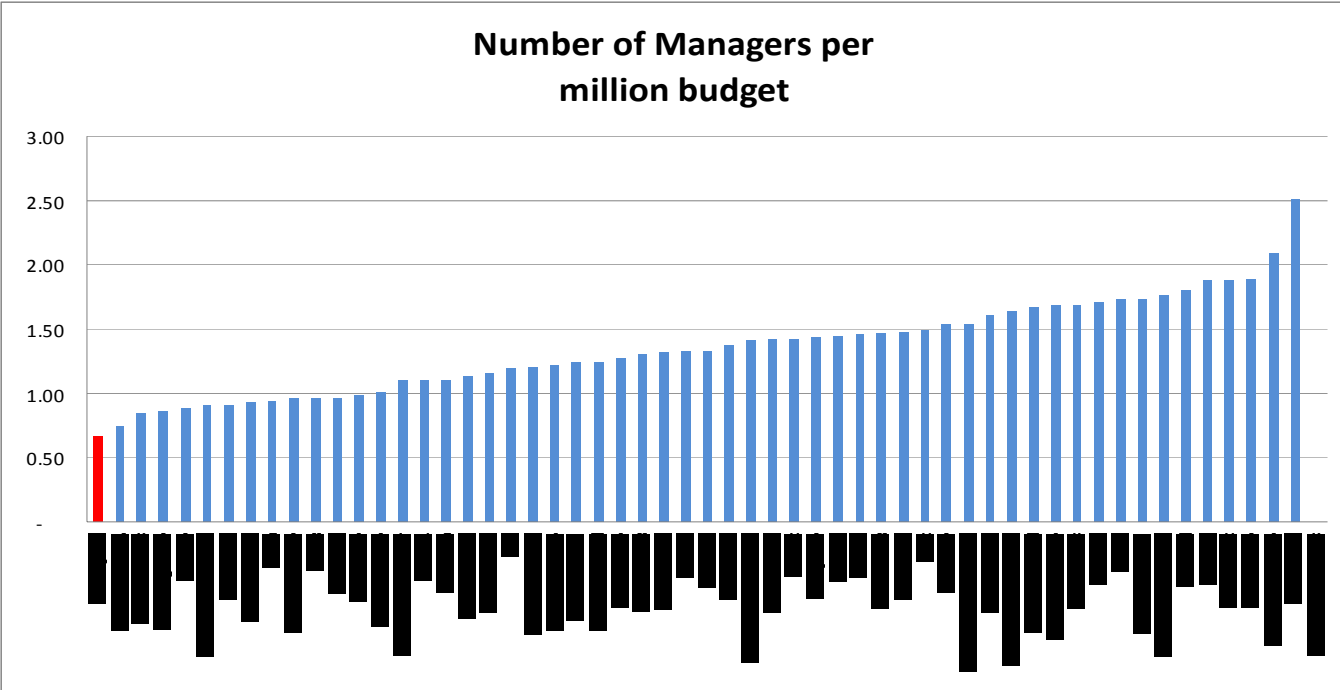
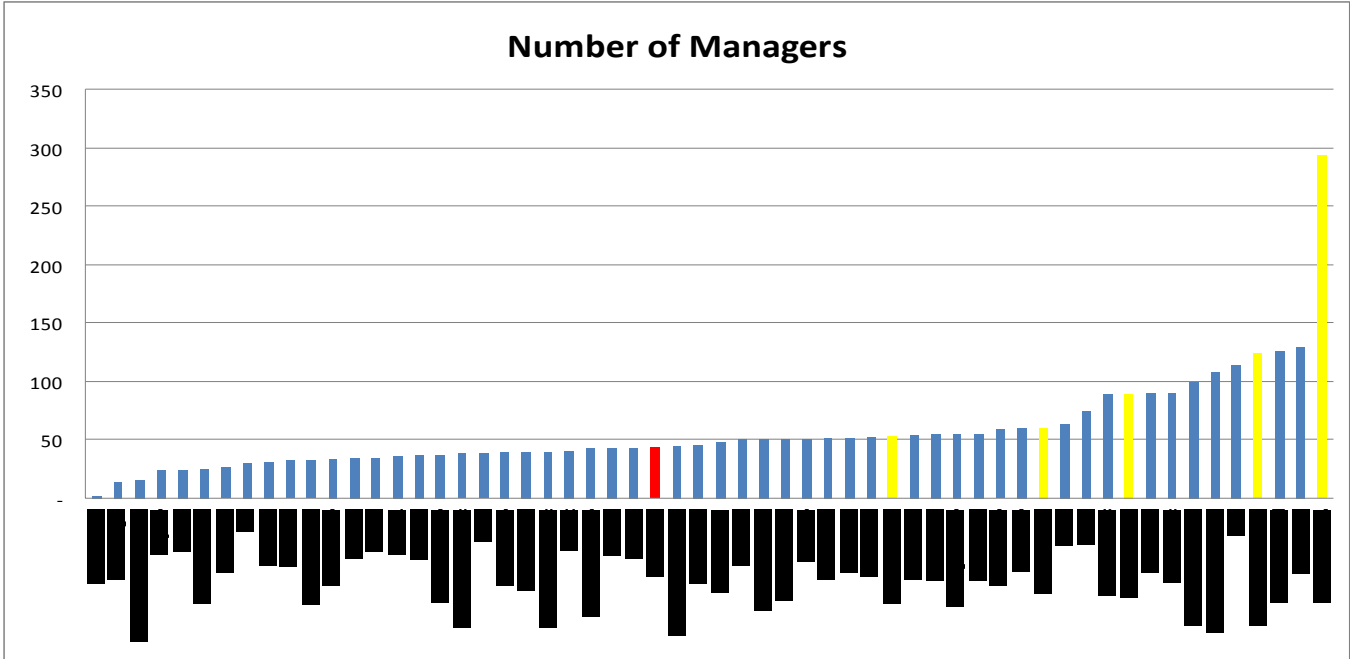
4. At its meeting of the 17<sup>th</sup> February 2011 the Authority approved a budget that included further savings of £400k in management costs. After considering a number of options in response to the grant cuts imposed by Government, Members agreed that a reduction in the numbers of Station Managers and Group Managers would be included in their budget plan.
5. A twelve week consultation period ending 3<sup>rd</sup> June 2011 was conducted with representative bodies, regarding the proposed officer changes, following the Authority budget decisions of the 17<sup>th</sup> February 2011 and the outcome of this exercise is detailed in this report. However it is acknowledged by the Service that a suitable period of negotiations should now take place in order to seek an agreement that is acceptable to representative bodies and individuals alike.
6. The Authority previously concluded that in relation to Group and Station Managers, there should be a provision of 2 GMs and 4 SMs, to meet all reasonably foreseeable operational incident command requirements. The assumptions that underpin this assessment have been revisited through risk assessment (Appendix A), which has demonstrated that the risk factors determining the number of officers required for incident command purposes have not increased and may actually have decreased.
7. The current arrangements allow for 10 GMs and 20 SMs to give provision for 2/4 GMs/SMs. In order to provide for the reduction in management costs required by the Authority, the proposal detailed in this report is to reduce the GM cohort from 10 to 8 and the SM cohort from 20 to 16.
8. A GM/SM subject to the 'flexible duty' system works to a rota that provides for a level of availability for incident command purposes, referred to as 'covers'. Attached as Appendix B is a report from Attendance Management which identifies the 'cover' shortfall as a consequence of reducing the number of GMs and SMs. This report offers 2 options for dealing with this shortfall and these options have formed the basis of consultation with the Fire Officers Association (FOA) and the Fire Brigades Union (FBU).
9. The situation is slightly more complicated by differences in 'cover' arrangements amongst existing managers. The majority effectively self roster which is a duty system that the Service is seeking to implement amongst all fire station based staff. However, a smaller number have chosen to retain the more rigid, traditional rota system. Previous dialogue with the main manager representative body, the Fire Officers Association (FOA), during which the Service sought a full migration to a self rostering system amongst the senior managers proved problematic. Therefore at the commencement of consultation

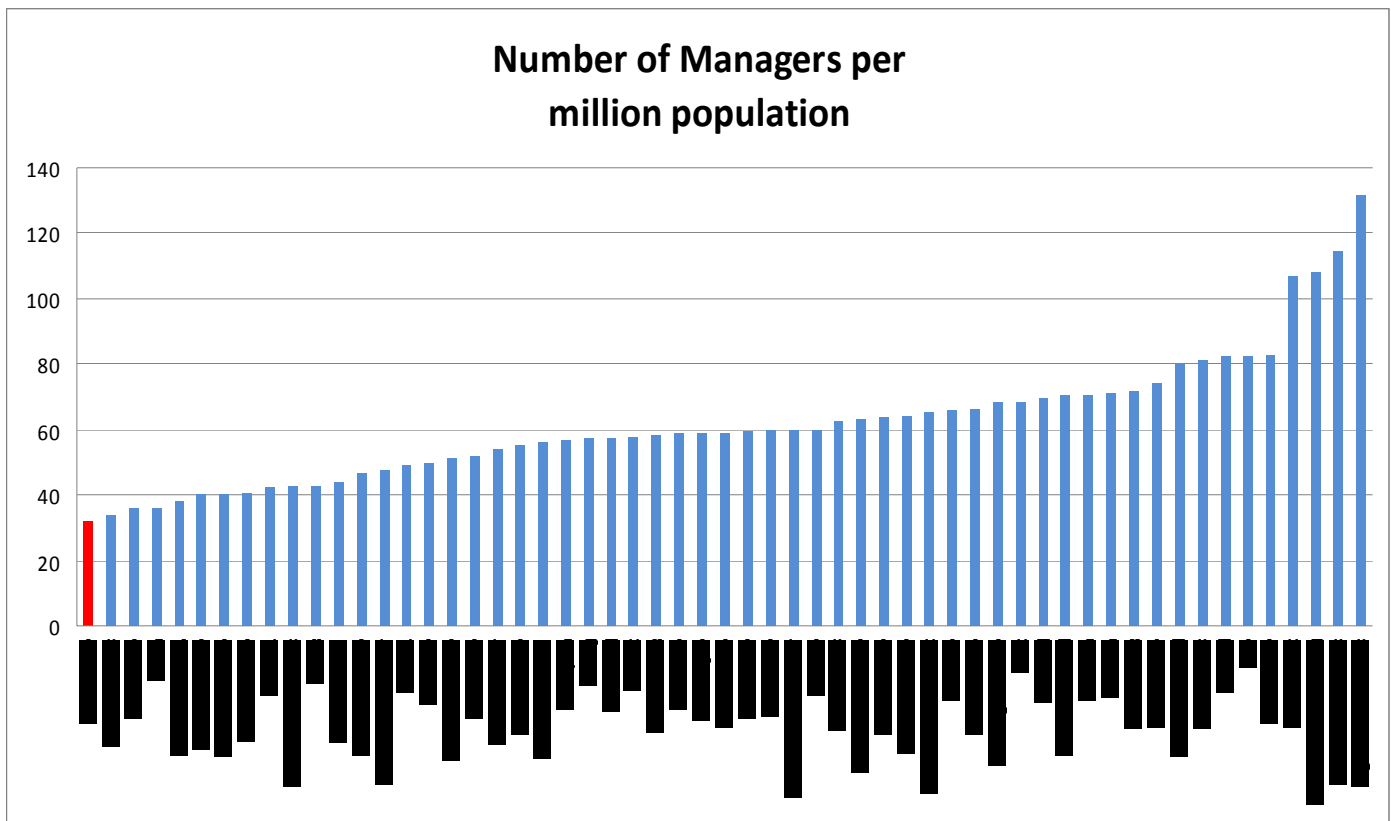
it was assumed by the Service that one potential outcome would be the persistence of the two systems operating in tandem.

10. At the outset of consultation the Service made clear to representative bodies that Option 1 detailed in the Attendance Management report (Appendix B) was the preferred option of the Service for those who elected to 'self roster'. Under this proposal the additional 'covers' will be slightly higher than the current 2.22 per 6 weeks required from those GM/SM who elect not to self roster and prefer to work within the more restrictive, rigid rota arrangements. This will result in the self rostering managers being called upon to provide a slightly higher level of 'covers' and provide self rostering managers with the opportunity for additional payments for additional commitment, whilst allowing those who prefer to persevere with the more rigid system the opportunity to do so.
11. Time and Resource Management Department (TRM) will continue to oversee the arrangement for providing cover to meet the incident command requirements of the Authority in a manner that ensures the health and safety of all those involved and compliance with the Working Time Regulations.
12. Whilst the proposals detailed in this report will maintain appropriate incident command cover the managerial impact will require the Chief Executive & Chief Fire Officer to consider any issues that this raises and to make a number of organisational changes. This matter will be the subject of an additional report to be presented to the Authority in the near future.

#### Outcome of consultation

13. In considering this proposal, whilst the Risk Assessment should allay any concerns, Members may wish to be aware of the comparative position of Merseyside Fire & Rescue Authority in terms of its number of senior managers (Station Managers and above). The graphs below demonstrate the relative efficiency of the current arrangement and highlight the fact that these latest proposals make the management structure ever leaner.





14. An 8 week consultation period with representative bodies including FOA and the FBU was originally proposed with formal consultation concluding on the 6<sup>th</sup> May 2011. However, at the request of the FBU this period was extended to 12 weeks with formal consultation concluding on the 3<sup>rd</sup> June 2011.

#### FOA

15. Detailed and extensive consultation has take place with the FOA over the past 12 weeks including a number of face to face meetings between the service's lead officer and FOA representatives, as well as a meeting between FOA and the Deputy Chief Executive & Deputy Chief Fire Officer. The consultation exercise has also resulted in the provision of additional, detailed information by the Service to the FOA, the completion of revisions to the risk assessment (Appendix C) and an exchange of correspondence in which the Service has sought to assuage the concerns of the FOA.
16. FOA has taken the position that they are seeking a 'Grey Book compliant' duty system to deal with the 'covers' shortfall that will result from a reduction in GM/SM that, bearing in mind the present and future challenging budget position faced by the Authority, is cost neutral. They have also taken the view that the self rostering option outlined as the Service's preferred option, is outside the Grey Book and therefore not acceptable.

17. The Service takes the view that a local agreement can be reached with regard to the self rostering option which is perfectly consistent with the Grey Book and many such agreements are already in place with other representative bodies in this regard. FOA apprehensions about moving out of the Grey Book are therefore considered misplaced. However, in order to move matters forward Attendance Management have produced, as a basis for further dialogue, a revised duty system (Appendix D) that matches the requirements of the FOA. This was provided to FOA on the 17<sup>th</sup> May 2011 (Appendix E) tabling the offer and setting out progress of consultation to date. At the time of writing this report no formal response has been received from FOA, although it is understood that FOA is mindful to respond positively to this option.
18. The current FOA position statement is attached as (Appendix F) to this report and may help any subsequent negotiation that will take place.

### FBU

19. Although the FBU requested an extension of the consultation period from an end date of the 6<sup>th</sup> May 2011 until the 3<sup>rd</sup> June 2011 they did not take up the offer of a full consultation meeting until 24<sup>th</sup> May 2011 although earlier dates had been offered by the lead officer for the Service. This has regrettably reduced the time available for consultation.
20. Face to face meetings have taken place and the FBU has been furnished with all the information that has been requested. The lead officer wrote to the FBU on the 13<sup>th</sup> June 2011 (Appendix G) in response to all outstanding matters raised by the FBU in their letter of the 26<sup>th</sup> May 2011 (Appendix H) and the Service is of the view that all these matters have now been fully dealt with in correspondence. The Service wrote to the FBU on the 14<sup>th</sup> and 16<sup>th</sup> June 2011 (Appendices I & J) requesting that the FBU provide a position statement by the 17<sup>th</sup> June 2011, so their view on the progress of consultation could be reported to Members. A response was received on the 20<sup>th</sup> June 2011 (dated 17<sup>th</sup> June 2011) and a copy is attached to this report as Appendix M and may help any subsequent negotiation that takes place.
21. Although the Authority agreed for a period of consultation in relation to the proposal to reduce the number of GM/SM, the FBU has taken the position that any proposal regarding a revised duty system is a matter for negotiation as opposed to consultation.
22. The Service has agreed to convene a single status meeting to deal with matters of concern raised by the FBU in relation to the Equality Impact Assessment. (Appendix K) and this should have taken place prior to the Authority considering this report.

### Individual Employees

23. The Deputy Chief Executive & Deputy Chief Fire Officer wrote to all GM/SM at the commencement of the consultation process on the 9<sup>th</sup> March 2011 (Appendix L) offering to meet any individuals on a confidential basis to discuss the GM/SM reduction proposals and a number of subsequent meetings took place with individual employees which allowed their concerns to be allayed and revealed a significant level of support for the self rostering option.
24. A presentation was also given to all GM/SM on the 21<sup>st</sup> February 2011 to provide the details of the Service's proposals to reduce the number of GM/SM and the options for dealing with the additional 'cover' requirements. A further briefing was held on the 23<sup>rd</sup> June 2011 to update GM/SM on the progress of the consultation exercise.

### Equality & Diversity Implications

25. The Service's preferred duty system option allows GM/SM to manage their time flexibly as would be expected of an Officer in such a senior position. An Equality Impact Assessment is attached as Appendix K.

### Financial Implications & Value for Money

26. The net savings arising out of this proposal are forecast at £320k which will make a significant contribution to the Authority's management cost savings target of £400k.

### Health & Safety and Environmental Implications

27. Proper provision for Senior Officers to undertake incident command is essential as part of a safe system of work.

### Contribution to Achieving Our Purpose:

"To Make Merseyside a Safer, Stronger, Healthier Community"

28. Effective incident command arrangements are required to ensure that emergency incidents and the associated command activity will be best managed for the benefit of the local community.