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

CFO Dan Stephens
Merseyside Fire and Rescue Service

Mark Rowe
Fire Brigades Union

23 August 2013

BY EMAIL

Dear Messrs. Stephens and Rowe,

Shift start and finish times

Please find attached the recommendation of the Independent Chair of the Resolution Advisory Panel following the meeting on 19th August 2013.

The respective local parties will now need to decide their responses within seven days of receipt. Where both parties signal acceptance then this should be regarded as providing the basis of a local collective agreement on the Panel's recommendations. Given the bank holiday weekend the seven days will commence from Tuesday.

Where either or both of the parties do not concur with the recommendation then, as in any other situation where agreement is not possible, they will have to consider their own actions.

Yours sincerely,



Gill Gittins
on behalf of the Joint Secretaries



John McGhee

CC: Professor William Brown

Fire Brigades National Joint Council Resolution Advisory Panel
19th August 2013

Merseyside Fire and Rescue Service – proposed default 12 hour shift duty system.

Those present

For the MFRS:

Dan Stephens (Chief Fire Officer)
Nick Mernock (Director, POD)
Dave Mottram (Area Manager)
Mike Cummins (HR Manager)

For the FBU:

Mark Rowe (Acting Brigade Secretary)
Les Skarratts (Regional Secretary)
Kevin Brown (Executive Council)
Kevin Hughes (Acting Brigade Chair)

Gill Gittins (Joint Secretary, Employers' Side)
John McGhee (Joint Secretary, Employees' Side)
William Brown (Independent Chair)

Background

The Merseyside Fire and Rescue Service has, in common with others across the country, been faced with severe financial cuts following the 2010 Comprehensive Spending Review. In February 2013, the Merseyside Authority approved measures to deal with this which included a reduction in fire appliances from 42 to 28, and a change in the default duty system from 9 and 15 hour shifts to 12 hour shifts. It was intended that 3 hours of stand down on the night shift should, in effect, be replaced by 3 hours on the day shift at times of the day when they could be more productively deployed. The changed duty system would also facilitate day crewing as a substitute for potential station closures. At the end of February 2013, negotiations commenced. A range of options was considered, including a proposal by the FBU to reduce stand down time on night shifts by three hours and a possible 24 hour default shift system. It was not possible to achieve agreement.

Considerations

The Authority has to manage the Service under conditions which are changing for reasons quite apart from the unprecedented financial cuts. A strategic shift towards preventative work has successfully reduced the number of incidents but has increased demands for safety checks, inspections, specific risk research and specialist training, much of which has to be carried out in daytime. It is hard to justify the amount of rest time associated with long night shifts. It is recognised that there are external pressures such as HSE guidance, the Knight Review and anticipated further budget cuts in 2015. It is important for the Authority to demonstrate that staff are deployed productively and safely. The FBU reports that its members predominantly wish to remain with the established 9/15 shift pattern. It argues that there is sufficient flexibility in stand down arrangements for the necessary productivity to be delivered, that the established shift pattern is superior in terms of risk and fatigue, and in terms of being family friendly. It also believes that adding 3 hours to the day shift in the early evening, when the level of incidents is highest, will be counter-productive, because fire crews will not be fresh.

In considering these arguments, the Independent Chair notes that both financial cuts and external pressures are likely to continue for the foreseeable future. The Authority has demonstrated its commitment to the productivity merits of secure full-time employment by committing reserves to the avoidance of compulsory redundancies. It has also shown a clear

preference to achieve change through negotiation and consultation. The FBU has demonstrated realism in the face of unprecedented circumstances, recently achieving negotiated compromises on critical cost-saving issues. Although the issue of comparative risk and fatigue on different shift patterns is complex, the balance of evidence is that maximum fatigue scores are lower with 12/12 than with 9/15 shift patterns. The evidence also suggests that the early evening peak of incidents has been diminishing steadily in recent years, and their current number and duration are not at a level which need dictate the shift pattern. So far as family-friendly shift arrangements are concerned, the Authority has pursued a case-by-case approach, with over 90 per cent of requests for change being resolved to the satisfaction of the applicant.

Recommendation

The recommendation of the Independent Chair is that there should be a change in the default shift system from the current 9 hour day and 15 hour night. A working party should be established immediately, with full information sharing, to deliver a duty system which can adapt to changing circumstances in recognition of the financial pressure faced by the Authority. The working party will make recommendations on the details of the introduction of a default shift system with shifts of 12 hours. The membership of the working party should be agreed by the local joint secretaries. The recommendations should be implemented from 1 January 2015. The working party will conclude on 1 September 2014.

In the interim, the default shift system should be 10.5 hour days and 13.5 hour nights. The stand down period should be 4 hours, to be taken between midnight and 7am. This would be implemented from 1 January 2014 with the appropriate work routines resolved between now and then. It is intended that this recommendation will provide the basis for discussions leading to agreement.

William Brown
Darwin College
University of Cambridge
23rd August 2013