

IRMP CONSULTATION 2013/14 – Representative Bodies Issues Log

This document details the principal questions and comments raised by representative bodies during the IRMP consultation process and the response/comment provided by the Service. Additionally consultation/negotiation (as appropriate) has been taking place with regard to four key proposals flagged up in the draft IRMP. These are the Retained Reserve, the IRMP Staffing Model, LLAR Station Reductions and Duty Systems. These four matters will be the subject of forthcoming reports to the Authority at which time the position of the representative bodies will be reported in detail and they are not therefore addressed in any significant detail in this issues log.

Date	Rep Body	Question/Issue	Response/Comment
25/03/13	FOA	FOA expressed concern that HERIPROT had been omitted from IRMP.	GM Murphy responded on the on 18 April 13 and matter was dealt with on Page 24 of the IRMP.
25/03/13	FOA	FOA requested separate negotiation process for the proposals relating the duty systems and work routines.	Deb Appleton wrote to FOA on 23 April 13 confirming that proposals in relation to revised duty systems and work routine were a matter for on-going negotiation/consultation (as appropriate) with AM Mottram.
25/03/13	FOA	FOA expressed concern over the potential impact of the Support Services Review in terms of potential loss of posts and capacity.	Deb Appleton wrote to FOA on 23 April 13 advising that work undertaken with representative bodies has mitigated the potential impact of financial cuts in terms of potential loss of capacity and the threat of compulsory redundancies
25/03/13	FOA	FOA requested clarification over the future of the Marine Rescue Unit in terms of the loss of jobs and the potential operational problems faced by fire crews when attending incidents around the river bank in terms of providing safe systems of work.	Deb Appleton wrote to FOA on 23 April 13 confirming that the Service was not seeking any further savings from the MRU budget in 2013/14 and that external funding is being sought to provide for financial sustainability moving forward.
25/03/13	FOA	Questioned why there was no mention of 'Heritage' issues in the IRMP.	Deb Appleton wrote to FOA on 23 April 13 confirming that this issue would be reviewed before the final version of the draft IRMP is presented to the Authority.
25/03/13	FOA	FOA asked if there was a potential conflict between the Fire Safety Order and the Primary Authority Scheme and requested clarity over this issue.	Deb Appleton wrote to FOA on 23 April 13 providing a briefing note which addressed the issues highlighted in FOA correspondence of 25 Mar 13.
18/03/13	UNISON	There has been a rise in non-uniform injury since 08/09 low. H&S meetings tend to focus	Mike Cummins wrote to UNISON on the 9 May 13 detailing that whilst a rise from 2008/09 can be observed it must also be noted that the numbers are low and there

		on operational injuries. What plans are there to address non-uniform injuries with UNISON H&S Officer?	was a reduction significantly below the 08/09 figure in the last year (2012/13). It was also confirmed that muscular skeletal injuries have been identified as a major contributory factor for non-uniformed injury and the root causes were identified as poor manual handling, consequently the H&S team have delivered a programme of manual handling training to all non-operational staff. The letter also confirmed that There is a new H&S policy in place and all trade bodies (Unison UNITE FOA and FBU) have been fully consulted on the policy. There is also a workplace review group and an H&S partnership, both of which Unison is a member of and which their H&S representative attends. The former group reviews ALL accident and injuries and the latter is the forum where the rep bodies are invited to bring any Health Safety & Welfare issues they may have to the attention of the group including the Health & Safety Manager as the representative of management. Both groups feed into the Health Safety & Welfare Committee which is chaired by the DCFO and of which UNISON are members. The H&S team regularly carry out various HS&W related assessment with Unison members including DSE, Manual Handling, Stress and Noise assessments and various control measures have been introduced as a consequence.
18/03/13	UNISON	How do expensive projects like Joint Control affect the MRFS cash flow? Should these plans be shelved until the recession is over?	<p>Mike Cummins wrote to UNISON on the 9 May 13 confirming that:</p> <ol style="list-style-type: none"> 1. The Authority has been very successful in building up reserves to ensure it can do the best to avoid compulsory redundancies by: <ul style="list-style-type: none"> • Offering VER/VS to staff • Ensuring that it hedges against its main risks • Having a financial buffer to allow time to implement change 2. The availability of these reserves and the way in which the Authority receives its funding means that cash flow is not usually an issue and that at any point in time it actually has significant monies invested. 3. The project is being undertaken to ensure community safety and will save the Authority money. This has been anticipated in the financial plan. To delay would worsen the financial position. Also, building during a recession ensures the best value for money with regard to construction costs.

18/03/13	UNISON	Would placement of HQ staff in empty areas of fire stations free up enough space for JCC as a simple refurbishment, rather than an expansion?	Mike Cummins wrote to UNISON on the 9 May 13 confirming that This would not be possible. Merseyside Police has specific requirements around security that requires a new build solution. Disbursing HQ staff around the county would be disruptive and reduce efficient working between departments.
18/03/13	UNISON	How are training needs identified and training budgets accessible?	Mike Cummins wrote to UNISON on the 9 May 13 confirming that these are identified via a values based appraisal where the Line Manager and employee discuss the employee's performance over the past year and set and agree objectives for the following year and any resultant development needs arising from this. Part 4- the Development plan is sent to the Organisational Development team and are reviewed to see whether the request can be met and how they can be met. The criterion is that all activities should enable an employee to be the best they can be in their role and thus contribute to safer stronger communities and safe effective fire-fighters.
18/03/13	UNISON	Are Personal Development Plans in place for all staff?	Mike Cummins wrote to UNISON on the 9 May 13 to confirm that all employees who have had an appraisal have a development conversation as part of the appraisal. These are the first year they have been incorporated in to the appraisal process. POD is monitoring the quality and quantity of all PDP's. It is a joint responsibility between the employee and their manager to ensure that an appraisal takes place. We have a list of those employees who have not had an appraisal submitted for them and their Managers will be dealt with accordingly.
18/03/13	UNISON	Is opportunity promoted? What opportunity has been promoted?	Mike Cummins wrote to UNISON on the 9 May 13 to confirm that all roles both internally and with other FRS are advertised by the resourcing team. Successful internal applicants may have a probation period in order to ensure that their development needs are met to assist them to be fully functioning in their new role. Unsuccessful candidates also have development needs identified as can be referenced from the recent Station Manager ADC process. In additional the 9 box model as part of the appraisal process indicates whether a person is ready for further promotion and therefore would benefit from management development activities.
26/02/13 11/04/13 24/04/13	FBU	FBU do not agree that Authority should vary its current response standards.	FBU met with AM Mottram on 25 April 13 at which both parties acknowledged their different perspectives and agreed to note the position of the other.

ditto	FBU	FBU sought further details in relation to proposals to move to a different duty system and vary the work routines.	The Service has now provided more detailed proposals in relation its proposals around a revised duty system and work routine for the wholetime system and this matter is now the subject of on-going negotiation/consultation (as appropriate).
ditto	FBU	The FBU requested further information in relation to any proposals to merge stations.	FBU met with AM Mottram on 25 April 13 at which the parties agreed that this issue would be subject to a future consultation exercise following the Service providing the FBU with more detailed proposals.
ditto	FBU	The FBU are seeking the immediate removal of the reference to Voluntary Additional Hours in the draft IRMP which they contend is not appropriate as the IRMP is a risk plan.	It was agreed that this subject should be dealt with by through the Joint Secretaries arrangements
ditto	FBU	FBU expressed concern that the recall to duty scheme might be used for dealing with staffing shortfalls.	FBU met with AM Mottram on 25 April 13 at which it was confirmed that the Service is not seeking to extend use the 'recall to duty' arrangements as a mechanism for dealing with staffing shortfalls and that 'recall to duty' arrangement would only be utilised in those circumstances set out in the existing arrangements.
ditto	FBU	The FBU expressed concern in relation to the ability of the Service to its current commitments to S.13 and 16 arrangements in the light of the latest funding reductions.	FBU met with AM Mottram on 25 April 13 at which the FBU were advised that current position would be reviewed in light of budget cuts and FBU would be updated on the Service position as this became clear. The FBU confirmed that they were content to note the current position.
ditto	FBU	The FBU requested a commitment to the continued funding of the Marine Rescue Unit given its role in supporting operational crews and as a valuable community service.	FBU met with AM Mottram on 25 April 13 at which it was confirmed that the Service was not seeking any further savings from the MRU budget in 2013/14 and that external funding is being sought to provide for financial sustainability for the Unit moving forward.
ditto	FBU	The FBU requested clarification over a statement in the draft IRMP referring to a 'a more even spread of appliances' this is a fundamental change of fire cover as we were not advised that we had an uneven spread of appliances and so this would suggest appliance moves.	FBU met with AM Mottram on 25 April 13 and following discussion of the issues raised both parties confirmed they now understand the respective position of the other. AM Mottram was able to provide the FBU with an explanation of the ALARMS model and the context of the statement in the draft IRMP that had been a cause of concern. This explanation provided the assurances that the FBU required.
ditto	FBU	FBU contended that 'Best Value' legislation places the Authority under an obligation to continuously seek improvements in the services it provides to the community and that	Mike Cummins wrote to the FBU on the 9 May 13 responding that the Fire Authority is a best value authority (section 1 of the Local Government Act 1999) and has to comply with the statutory best value duty (set out at section 3 of that Act) which is to:

		<p>this obligation is at odds with the proposed response standards detailed in the draft IRMP 2013-16.</p>	<p><i>“make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.”</i></p> <p>Whilst noting that:</p> <ol style="list-style-type: none"> 1) The best value duty is to ‘make arrangements to secure’ rather than ‘to secure’ which suggests that this is not an absolute duty otherwise any decision of any best value authority would be subject to challenge by anyone who claimed to see a better way to provide the service and that the duty requires the Authority to have regard to ‘economy, efficiency and effectiveness’ you are, of course, aware of the economic position of the Authority and the impact of the recent budget cuts. The Authority has no option but consider all of its statutory duties, including its best value duty, in light of its available financial resources. 2) Section 3 of the Act requires that for the purpose of deciding how to fulfil the best value duty the Authority must consult a number of representatives including tax payers in the area. The IRMP proposals, including the proposed response times, have been the subject of a public consultation exercise that meets the requirements of consultation under the Act. 3) And that consultation has taken place in the context of unprecedented funding cuts which have informed the detailed content of the IRMP and represent the reality of the financial position in which the Authority finds itself.
ditto	FBU	<p>The FBU inquired if the Service was still recording BVP 145 which is the percentage of calls to fires at which national standards for response times including appliances and riders are met.</p>	<p>Mike Cummins wrote to the FBU on the 9 May 13 confirming that:</p> <ol style="list-style-type: none"> 1) National response standards in this regard are no longer applicable with each Authority setting its own performance standards as part of the IRMP process. 2) The Service does not collate such data however; CLG may very well calculate the BVPI from data available through the IRS system based on data from appliances attending incidents including the number of riders.
ditto	FBU	<p>In relation to the Protection function and with specific reference to guidance not 4 the FBU</p>	<p>Mike Cummins wrote to the FBU on the 15 May 13 to confirm that the revised Protection Policy complete with the inspection strategy and risk based inspection</p>

		<p>commented that whilst there had been improvements over the past year they had a number of question that they wished the Service to address in relation to the audit and inspection strategy:</p> <ol style="list-style-type: none"> 1) Does it comply with national guidance? 2) Is the Authority fulfilling its obligations under the Act? 	<p>programmes have been developed using IRMP guidance note 4 and enable MFRS to fulfil its obligations under the Regulatory Reform Order 2005 (fire safety) and section 6 of the FRS Act 2004. Each element will go out to consultation prior to publication using the prescribed channels.</p>
ditto	FBU	<p>The FBU raised a further question in relation to the audit and inspection strategy:</p> <ol style="list-style-type: none"> 1. The FBU believe that the number of inspections should be set out in the IRMP. The reason for the FBU concern relates to an incident occurring at premises that was invisible to MFRS. 2. Is MFRS in line with other Authorities with regard to the number of inspections undertaken and does MFRS serve comparable number of improvement notices compared to other Authorities. 3. Does MFRS strategy link in with SSRI 	<p>These issues were addressed in Mike Cummins' letter of 15th May.</p> <ol style="list-style-type: none"> 1. The rationale for inspections will be set out in the strategy allowing flexibility for the audit of properties currently unknown to MFRS following the provision of intelligence from partners and staff. This approach will be operated on a dynamic basis. 2. The CLG returns for the numbers of audits, enforcements and prosecutions will be subject to a report to the Authority. The hours spent on this activity and others are detailed in the return. The number of audits has increased from previous years. 3. The information collected during audit will be made available for the completion of SSRI and for operational response. The risk matrix for Protection audits (as per IRMP guidance note 4) aimed a community life risk will complement the risk matrix and categorisation of SSRI audits aimed at firefighter safety and intelligence relating to the build environment.
04/06/13	FBU IRMP Response	<p>The FBU believes the AFA protocol is misguided and dangerous and may lead to the privatisation of the fire service.</p>	<p>The AFA Protocol introduced in November 2012 is a "Risk Based approach to responding Automatic Fire Alarms" which, following consultation is being introduced on an incremental basis to give responsible persons and alarm receiving centres the</p>

			time needed adapt to the change and allow them to carry out their statutory duty. The risk based approach takes into account societal risk, sleeping risk and allows responsible persons to request exemption from call challenge based on their particular circumstances. Service instruction 0039 details the procedure and consistently reviewed as implementation progress towards November 2013. The protocol and response to actuations of alarms is intelligence led based on risk and provides for exception based on risk and as such is not a blanket approach as indicated on page 26 of the draft IRMP.
04/06/13	FBU IRMP Response	The FBU believes that the Service is being disingenuous in its claim to be introducing a risk based approach to AFA actuations which will include a rigorous call challenging procedure.	Details of the Risk based inspection strategy and the inspection programmes that result from this will be contained within the annual refresh of the Community Fire Protection Policy and the subsequent service Instructions which will go to consultation with the representative bodies when they have been ratified internally of which the first iterations have been shared with the FBU. The Policy is referred to on page 25 of the draft IRMP. The functional delivery plan for community fire protection which forms part of annual MFRS service plan. Provides detail on how the strategy will be implemented over the coming year. This has been to Authority.
04/06/13	FBU IRMP Response	The FBU contend that the Authority does not use its reserves to properly protect frontline services in 'such an obvious time of need'.	The prudent position adopted by the Authority is that reserves and balances and one off savings should only be used to finance one-off expenditure. If such monies are used to fund on-going revenue expenditure without taking action to reduce underlying expenditure, the Authority would find itself facing the same deficit in the next and future years. This is underpinned by the District Auditor's 'Golden Rule' that 'one off' revenue reserves should not be used to support 'on-going' expenditure. This approach has precluded (to date) the requirement for compulsory redundancies amongst Grey Book staff.
04/06/13	FBU IRMP Response	The FBU believe that cuts are being applied disproportionately and that this is evidenced by a Principal Officer group of 2 which constitutes 0.24% of the workforce but accounting for 1.5% of the wage bill for the operational establishment	MFRS has the leanest principal officer group by reference to any comparable national standard, with the group being reduced in size from 3 to 2 in the past 2-years. This approach has been endorsed in the recent report from Sir Ken Knight, 'Facing the Future'. Pay for current and previous holders of principal officer positions is a matter of public record. The pay bill for the CFO and DCFO post holders is now lower than it was for the previous holders of the CFO and DCFO of the post.
04/06/13	FBU IRMP Response	The FBU believes that the Authority should bring back 'in house' activities which have been outsourced such as ICT.	In March 2009, following a robust procurement, the Authority approved the award of contract for the provision of ICT Infrastructure Service Provision to telent for a period of 5 years with effect from 1st April 2009. Qedis was appointed on behalf of

			<p>the Authority to provide independent assessment of the procurement process for the outsourcing of the ICT Infrastructure Service Provision. Qedis concluded that MF&RA can be classed as an intelligent client, with plenty to offer both potential suppliers and other public sector organisations about to embark on similar projects. The new contract represents a £400k saving on the previous contract. In line with the ICT savings target of over 10% of total cost, this will contribute a £2m worth of savings over the life of the contract. The recent Peer Challenge endorsed the provision and operation of ICT within MFRS and identified certain applications as examples of 'best practice'.</p>
04/06/13	FBU IRMP Response	<p>Given the loss of appliance of appliances and firefighter posts the FBU is urging the Service to review every operating procedure to take into account the loss of frontline cover.</p>	<p>MFRS constantly reviews its operating procedures to ensure that safe systems of work are adopted at all incidents, and that where a specific number of personnel are recognised as being necessary to implement a procedure, then such procedures are not implemented until the required number of personnel and relevant resources are present on the fire ground. Risk assessments are used to determine the extent to which crew members should be able to take action safely and without significant additional risk to their health and safety, particularly with regard to the number of firefighters necessary to conduct any procedure.</p>
04/06/13	FBU IRMP Response	<p>The FBU urges the Authority to maintain current response standards as it believes that a failure to maintain these standards will constitute proof of the impact of Government cuts.</p>	<p>The Service acknowledges the impact of the cuts with regard to response standards and this is fully detailed in the IRMP, but it takes the view that it would be irrational to set a performance standard that 'in principle' cannot be achieved and that the most appropriate and beneficial approach to attempting to reverse Government funding cuts rests in a partnership based lobbying approach; which has to date been successful in that it has lessened the scale of the cuts that might otherwise have been imposed.</p>
04/06/13	FBU IRMP Response	<p>The FBU view is that the Service is not fully implementing the agreement in relation to VAH in that:</p> <ol style="list-style-type: none"> 1. 5 new wholetime posts for holders of 21-hr contracts have not been created. 2. VAH has not been used to reduce the number of appliances placed in the Dynamic Reserve and to maximise the 	<p>The Service is committed to the creation of 5 new wholetime posts for holders of 21-hr contracts and is moving forward to deliver this commitment. The Service also contends that VAH has been utilised to ensure that the Dynamic Reserve was reduced to no higher than, the agreed number of 5 on fewer occasions than would have otherwise been the case if VAH had not been available. As always when dealing with limited resources VAH has been used to strike a balance between maintaining appliance availability and rider numbers. FBU demands for PH leave could not have been met unless VAH had been utilised in this way. The FBU were aware of and did not object to the use of VAH to support the granting of PH leave.</p>

		occasions when appliances operate with 5 riders. 3. VAH has been used to support PH leave.	
04/06/13	FBU IRMP Response	The FBU objects to the Service introducing a fitness and health policy that follows the Firefit Steering Group recommendations that the FBU believes to be discriminatory and is outside of national procedures.	This issue remains one to be progressed in the first instance by the Health & Safety Committee which is the mechanism the Service has used to trail its thinking and ideas. Consultation with the FBU and other representative bodies will continue via this mechanism with final proposals being brought back.
04/06/13	FBU IRMP Response	The FBU are opposed to changes to the default duty system. They consider the proposals of the Service in this regard to be driven by a desire for change for change sake; and unnecessary,	The proposals to revise the duty system are driven by a requirement to increase productivity to compensate for reduced number of firefighters following funding cuts and to reduce levels of risk from fatigue (in line with HSE guidance) amongst firefighters. These are matters currently being negotiated with the FBU and other representative bodies and will form part of future report to the Authority.
04/06/13	FBU IRMP Response	The FBU are of the view that the Positive Health and Well Being Policy is defective because it does not include a Stress Policy.	The Service is of the view that it's Health and Well Being provision for its staff is of the first order and rejects the criticism of the FBU. The Service is seeking to validate all aspects of its approach and arrangements with the HSE and other relevant body in order to underpin its policy framework and operational provisions. Service provision in relation to positive 'Health and Well Being' currently includes: <ul style="list-style-type: none"> 1. Stress Risk Assessment provision 2. Mental Health Pathway 3. CISM In addition the Service also provides an Employee Assistance Programme that operates a 24-hrs per day on 365-days per year access to telephone and face to face counselling. Further this Service counsellor and CBT counselling are also provided.
26/03/13	UNITE	Unite requested the details on the number of appliances and related vehicles that would have to be maintained moving forward as this may directly impact upon job numbers at the Vesty workshops.	Nick Mernock met with Unite on 13 Mar 13 and confirmed that they would be provided with details on the impact of a reduction in appliance numbers on the work load of workshops as this information became available. This issue is currently under review and no decisions have yet been taken as to how quickly the reduction in appliance numbers will impact upon the requirement for maintenance and

			<p>repairs.</p> <p>Nick Mernock also advised that whilst the Service had no intention to make significant staffing reductions in staff at this time, the reality was that the Service was moving from 42 to 28 appliances and at some point this will impact on the requirement for maintenance and repair facilities. However, the Service is also of the view that Workshops may be able to continue the successful approach adopted to date of picking up external contracts to compensate for any reductions in workload as appliance numbers reduce moving forward.</p>
--	--	--	--