

AGENDA ITEM:

REPORT TO:	MERSEYSIDE FIRE & RESCUE AUTHORITY
DATE:	3rd SEPTEMBER 2013
REPORT NO.	CFO/108/13
REPORTING OFFICER:	CHIEF FIRE OFFICER
CONTACT OFFICER:	CHIEF FIRE OFFICER
OFFICERS CONSULTED:	STRATEGIC MANAGEMENT GROUP
SUBJECT	SHIFT CHANGE NEGOTIATION UPDATE - RESOLUTION ADVISORY PANEL OUTCOMES

APPENDIX A TITLE RAP OUTCOMES LETTER

ATTACHED – ELECTRONIC

Purpose of Report

1. To advise Members of the outcomes of the Resolution Advisory Panel (RAP) held on 19th August and to inform members of the recommendations made in relation to the proposal to move to a 12/12 default duty system by the Independent Chair.

Recommendation

2. That Members note the outcome of RAP and the continued commitment of the Chief Fire Officer (CFO) and Fire Brigades Union (FBU) to achieve a negotiated settlement that meets the operational needs of the Authority and the aspirations of employees.

Introduction & Background

3. On 26th February 2013 the Authority approved, subject to consultation, the Integrated Risk Management Plan (IRMP) for 2013-16. The IRMP advanced a number of measures which included a reduction in appliances from 42 to 28 and a change in the default duty system from 9/15 to 12/12 in order to offset this loss in capacity by increasing productivity whilst maintaining risk from fatigue within the levels recommended by the HSE.
4. To achieve this the Authority requires a change to the default duty system in operation within the Service from the current 2 x 9 hour days followed by 2 x 15 hour nights followed by 4 rota days (9/15) to 2 x 12 hour days followed by 2 x 12 hour nights followed by 4 rota days (12/12).
5. The rationale for this change is to achieve long term and sustainable productivity gains in order to offset the loss of 33% capacity across the Service as a result of

the cuts imposed on the Authority over the four years of the Comprehensive Spending Review (CSR 10) and in anticipation of the recently announced cuts for 2015 and beyond.

6. Unfortunately and despite protracted negotiations over the last 6 months it was not possible to reach agreement with the FBU on the move from 9/15 to 12/12. In accordance with agreed procedures the issue was referred to the RAP which was held in London on 19th August.
7. If an agreement cannot be reached at the RAP the Independent Chair makes recommendations for both parties to consider as the basis of a settlement. It was not possible to secure an agreement on the day so the Independent Chair made his recommendations which in summary are 12 hours shifts to be implemented on 1st January 2015 with 10.5/13.5 shifts with a 4 hour rest period on nights implemented from 1st January 2014 as an interim arrangement. A copy of the letter from the Independent Chair is attached to this report at Appendix A.
8. The CFO met with the Brigade Officials on 27th August to consider the recommendations and to agree a way forward. The outcome of the meeting was as follows;
 - Both parties accept the recommendations of the Independent Chair and will advise the respective National Joint Secretaries accordingly.
 - Both parties recognize the disruption that two shift changes in a 12 month period would cause to staff therefore have committed to a period of negotiations with a view to achieving a collective agreement that would result in the implementation of a default 12 hour shift system on 1st January 2014. The deadline for the conclusion of these negotiations is 30th September 2013.
 - The Brigade Officials have advanced proposals in relation to several issues including start and finish times, appliance confidence levels (5 riders) and supervisory manager role designations. These will all now be the subject of further negotiation.
 - The issue of 24 hour shifts was raised during the discussions however this is already the subject of a voluntary collective agreement therefore will be revisited at the conclusion of the negotiations on or before 30th September.
9. Both parties remain committed to achieving a negotiated settlement that meets the operational needs of the Authority and the aspirations of employees. Further updates will be communicated to Members as the negotiations progress.

Equality & Diversity Implications

10. There are no Equality and Diversity implications contained within this report. An Equalities Impact Assessment of the proposed change in the default shift system from 9/15 to 12/12 has been undertaken and shared with all of the Representative Bodies during the negotiation process.

Staff Implications

11. The 30th September deadline was selected in order for the Authority to be in a position to give staff 90 days' notice of the change to their contracts required to move to 12 hour shift durations on 1st January 2014.
12. The period of notice will allow for any work life balance requests to be considered that may arise as a result in the change to shift durations.

Legal Implications

13. As detailed in paragraph 11 above.

Financial Implications & Value for Money

14. There are no direct financial implications contained within this report however the change in shift durations will deliver substantial increased productivity gains for the Authority that will go some way to minimising the impact of the cuts.

Risk Management, Health & Safety, and Environmental Implications

15. The default 12 hour shift system achieves a far more favourable outcome in terms of risk and fatigue for staff.

Contribution to Our Mission – To Achieve; Safer Stronger Communities – Safe Effective Firefighters”

16. By implementing a default 12 hour shift system the Authority deliver significant productivity gains which further legitimise the recommendations of the CFO in relation to the retention of the wholetime duty system across Merseyside.

Glossary of Terms

N/A