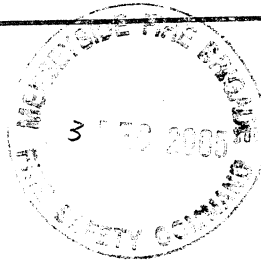


FBU Merseyside



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Date: Thursday, 22 December 2005

Ref: Community Fire Safety Staffing Model.

Dear Mr Fryer,

Please find enclosed a copy of the Fire Brigades Union's submission with regard to the community fire safety staffing model.

You are aware that the Union requested an extension to the consultation timeframe which was disappointingly rejected. I am however, available to meet with you to discuss any issues that emanate from this document or similarly issues that have evolved from the Service.

If you require any further information please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'L Skarratts'.

L Skarratts
Brigade secretary

Community Fire Safety Staffing Model

Within the Authority report CFO/154/05, MF&RS proposed a community fire safety staffing model which attempts to justify deleting uniformed fire safety posts and replacing a portion of those positions with non-uniformed staff, as efficiency savings. This over simplistic approach is neither prudent, effective nor efficient and the FBU conclude that the recommendations will serve only to:

- a) Reduce the success of Fire Safety strategies adopted by MF&RS that has seen a consistently high performing 'excellent' service in terms of fire safety inspections and fulfilling service statutory requirements as an enforcement authority.
- b) Have a detrimental impact upon the services record of achieving a low number of fires in non-domestic premises per 1000 non-domestic premises, as recorded within BVPI 207. (Check BVPI 207)
- c) Reduce a skill base and resource level at a time when the Regulatory Reform (Fire Safety) Order (RRO) 2004, due to be enacted 1st April 2006, could reasonably be expected to provide a significant workload, specifically in its first year of introduction. That appears to the FBU to be an incredibly high risk strategy to pursue prior to the introduction of unique fire safety legislation which for the first time sees a merge of all fire safety legislation under the RRO umbrella.
- d) The proposal ignores the perils of bullet point c) which is compounded by the immense investment in the Merseyside infrastructure, specifically within the Liverpool City Centre, and further ignores the inward demographics resulting in an increase in the Liverpool/Merseyside populace for the first time in 20 years.

The report bases the fire safety workload of 2005/2006 as being identical of that of 2004/2005. The report states that the total hours recorded for the year ending 31st March 2005 as being 59253, and sets that figure as being the number of inspection hours required to complete 2005/2006 workload. The disregard of the expected increased workload that the RRO will provide is concerning and the question must be asked by the elected members why that is the case.

The report somewhat tellingly informs that there needs to be a stepped approach towards the required number from the review and that simplistically this can be achieved by recruiting fire safety technical officers. The FBU question why there would be a requirement to recruit technical officers at all when the report itself clearly states that the authorised staffing levels for uniformed day staff up to watch manager level as approved by the MF&CDA through CFO/35/05 on the 9th February 2005 is set as 43 watch manager B. This statement leads the FBU to believe that there is a significant amount of vacant positions already within the Fire Safety function and the Union believes that

must only be due to a pre supposed acceptance of this proposal by the elected members, if that suspicion is borne out it leads the Union to believe that any such consultation exercises are at best perfunctory and at worst a sham.

On the 13th February 1995, the Home Office published the 'Guide to Fire Safety Planning and Management for Local Authority Fire Brigades', and promulgated this guidance to Fire Authorities under the Fire Service Circular 3/1995. This Guide is the authoritative guide to the management of Fire Safety and has not been withdrawn.

The Fire Service Circular 3/1995 make it clear that *'although we are facing the prospect of significant changes in the way in which fire safety legislation and enforcement is organised, the guide offers a flexible framework which can be adapted as the regime changes.'*

The Fire Brigades Union is aware of ongoing relevant discussion on a national stage within the Practitioners Forum that may result in additional or alternative guidance produced to Fire and Rescue Authorities, accordingly the FBU requested that an extension to the consultation timeframe be considered. That extension request was made for the following reasons:

1. That the national discussions and expected outcomes be awaited to assess the impact of any future guidance that may render this proposal as at best dated and at worst outside of national guidance or instruction.
2. That the complexity of the issue of fire safety is significant and requires more time to properly consult with the Fire Brigades Union.
3. That a proper and detailed impact assessment is undertaken to assess the impact that the Regulatory Reform Order would have on resource requirements.

Disappointingly that request for an extension to the consultative timeframe was rejected by the Service.

The 'Guide to Fire Safety Planning and Management for Local Authority Fire Brigades', or commonly referred to as the Purple Book' within the Executive Summary stipulates that *'Fire Safety has to be developed as a separate specialist function within the brigade. It should be properly resourced and accorded appropriate recognition in the management hierarchy. The principles and practises of Fire Safety should be part of every Officers job.'*

The Purple Book goes on to state in section 4 of the executive summary 'Career Development and Experience' that *'fire safety will be staffed by long-term and short-term staff, and it is recommended that the short term staff should spend at least three years in a Fire Safety reference. All officers, whether specialist Fire Safety or operations staff, should have adequate training in Fire*

Safety work. There are a number of training options available and a clear training path for officers is described in the Guide.'

This proposal would result in a significant reduction in the operational staff in Fire safety which limits career development, training and experience and clearly would result in a reduction in skills and experience in Fire Safety, an incredibly dangerous concept.

Section 2 of the Purple Book states that *'The role and nature of Fire Safety has changed considerably over the years. As with any properly developing activity there are new themes and issues arising all the time. This guide has to reflect current thinking, and as a result, there are several key issues that underline the whole document. These themes are as follows:*

- 1. Fire Safety is increasing in importance and is recognised as having a higher priority in the service.*
- 2. There are increasing financial pressures on brigades that either cause difficulties or stimulate fundamental changes.*
- 3. There are increasing trends to specialisation in the Fire Safety function and for individuals to be more highly qualified.*
- 4. Like most organisations, brigades are seeking an increase in delegation and responsibilities.*

It goes on in Section 2.2.1 *'Importance of Fire Safety.'* *That Brigades can and should emphasise the importance of Fire safety in two ways:*

- 1. By the embedding of Fire Safety principles within the ethos of all members of the brigade.*
- 2. By the establishment of the Fire Safety function with sufficient managerial stature and independence within the brigade.'* (purple book emphasis)

The requirement to have full regard to central government guidance such as the purple book is underpinned within the Fire and Rescue National Framework, with all Fire Safety strategies must be included within the Authorities IRMP's and that they should *'have regard to central government guidance in producing their plans.'* (National Framework Para 1.4)

Simply put, the Fire Brigades Union stress the importance that a Fire Safety Officer is also a serving operational firefighter, a two to one position with regard to job functions. To remove or replace that dual position with a single function employee, presumably non-uniformed on a lesser salary, is ludicrous and will inevitably lead to a lesser Fire Safety function outside of the home office stipulations.

The Fire and Rescue Service National Framework states that:

'1.31 The Government's proposals, in the form of a draft Regulatory Reform Order (RRO), have had a first scrutiny from the relevant Committees in the Houses of Parliament, and are expected to complete their second scrutiny in early 2005. The proposals complement the change in emphasis of the role of Fire and Rescue Authorities to one of prevention, where they are responsible for ensuring public safety by monitoring compliance with the law and, where necessary, enforcing the requirements of the new legislation. There will be guidance for businesses and enforcers before the Order comes into force, expected towards the end of 2005. Under existing legislation and under the RRO, an Authority's strategy for the enforcement of fire safety legislation is a key part of its overall strategy for the protection of its community. Authorities must therefore have a fire safety inspection programme and this must form part of its IRMP, as set out in IRMP Guidance Note 4, which gives advice on risk-based enforcement.'

1.32 Fire and Rescue Authorities should - in drawing up their enforcement programmes - prioritise inspection of places that, in the case of fire, pose a significant risk to life¹⁰. This will improve upon the current approach to inspection where priority is given to premises needing a certificate under the Fire Precautions Act 1971.'

The proposal is then at variance with national guidance circulated by the ODPM such as the Guidance note 4 advising Fire and Rescue Authorities on Fire Authority Risk Management Planning, (Fire Precautions Act: Circular No 29, FSC 2/2004) which states that :

'The fire safety inspection programmes of fire authorities will form part of their Integrated Risk Management Plans (IRMP's). The IRMP will define the authority's strategy for improvements in fire prevention work, following evaluation of the effectiveness of current preventative and response arrangements. In addition to meeting statutory duties for enforcement of fire safety legislation, each fire authority will need to show how its fire safety inspection programme contributes to its IRMP. In particular, it will need to show how that inspection programme links to other activities such as community fire safety and fire fighting.'

Risk based inspection programmes will form a key part of an overall community fire prevention strategy.'

Clearly in year's 1, 2 and 3, the Authority has failed within the IRMP to define the Authority's strategy for improvements in fire prevention work, it has failed to produce evidence of any evaluation of the effectiveness of current preventative and response arrangements and importantly it fails to show how

that inspection programme links to other activities such as community fire safety and fire fighting.

The Authority has been asked to consider, within report CFO/154/05, to simply agree a recommendation to approve the proposal without fulfilling the requirements of guidance note 4. It is apparent that the authority has been previously provided information on current procedures within report CFO/46/04.

The Fire Brigades Union further stress the importance of this issue and strongly recommend that no proposal is approved until a full assessment of fire safety resource requirements and future workloads is undertaken.

One critical aspect that will have a huge impact on this proposal is the introduction in April 2006, of the Regulatory Reform Order (RRO). It is clear that the introduction of this legislation will have an increase on the workload of the Fire Safety function. What is not clear is how much of an increase will occur.

All other Fire and Rescue Services in the North West region are either increasing the uniformed fire safety staff in readiness for the introduction of the RRO, or at least retaining current provisions. That appears to the Fire Brigades Union as a prudent managerial approach at this moment in time.

Summary

The FBU strongly urge the Authority to defer any decision on the staffing levels within the Fire Safety function for the following reasons:

1. To await the outcomes of national discussions on fire safety issues, which includes the potential of the issue of guidance that may have a detrimental impact on the MF&RS proposal.
2. That a full assessment of fire safety resource requirements and future workloads has been completed.
3. That MF&RS have the opportunity to meet the requirements of 'Fire Authority Integrated Risk Management Planning - Guidance Note 4'.
4. That a full impact assessment is undertaken on the effects the introduction of the Regulatory Reform Order will have on workloads and resource requirements.