



**FIRE BRIGADES UNIONS
COMMENTS AND OBSERVATIONS
TO
MF&CDA
IRMP - YEAR 3.**

EXECUTIVE SUMMARY

Again, the FBU make the point that if consultation is to be truly meaningful, then the response from those involved in the consultation exercise has to be taken seriously. The FBU to date has fully played its part in the consultation phase of the MF&CDA IRMP, however it is disappointing to note that the FBU's recommendations to that consultation has not been included in any IRMP to date.

The FBU again offer those recommendations from previous consultation responses and invite the Authority to consider them as part of this round of consultation, required by the ODPM.

FBU Recommendation 1:

The Fire Authority should adopt a target of zero fire deaths and work together with the Fire Brigades Union in formulating policy and strategies in order to work towards achieving this.

FBU Recommendation 2:

The effectiveness of current Community Fire Safety initiatives should be thoroughly assessed in order to properly calculate their contribution to bringing down incidences of fire.

FBU Recommendation 3:

That MF&CDA ensure that advocates should augment uniformed personnel not replace firefighters.

FBU Recommendation 4:

That a full and extensive consultation programme is undertaken with the FBU on any proposed revision of standards of fire cover with agreed outcomes based on qualitative and quantitative data and evidence. These agreed outcomes to be trialled to ensure a safer and more effective Fire Service is available to those who work in, and require assistance from.

FBU Recommendation 5:

That action point 30 (referrals to Transco) be the subject of further consultation with the FBU to ensure community and firefighter safety.

FBU Recommendation 6:

The FBU strongly urge that the formulation of action point 43 (response standards to life threatening non-fire emergencies) has the full involvement of the FBU, and that both MF&RS and the FBU to formally discuss and agree outcomes through the employee relations machinery and Health and Safety Committee currently in place.

FBU Recommendation 7:

That MF&RS and the FBU enter into a full and extensive consultation programme on the methodology and ethos of rescue and support appliances in the light of identified and known risks both appliances are mobilised to. It is important to remember that on occasion due to availability of appliances it may be necessary to mobilise 3 support appliances to effect a rescue.

FOREWORD

Merseyside FBU welcomes and recognises the CPA Excellent award in the year 2005, and notes that MF&CDA quite rightly identifies this award being despite high levels of deprivation and high numbers of fires, deaths and injuries. The FBU is concerned that the foreword identifies a history of difficult industrial relations, as the elected members are aware of the progressive and constructive work ongoing in the local joint secretaries' arrangement, with an auditable success rate that all should be proud of. The FBU believe that all levels of the Authority should share the same commitment and pledge to joint dialogue and problem solving whenever it is deemed necessary by either party.

The FBU also note and welcome the upcoming CPA into Service delivery and the Union awaits that report, which is the real measure of a Fire and Rescue Authorities (FRA) Integrated Risk Management Plan (IRMP) and how the IRMP is delivering the core services to the communities we protect and serve.

AIMS AND OBJECTIVES

The Corporate aims of the MF&CDA for 2006/07 again make no mention of a drive for ZERO fire deaths within Merseyside.

The FBU accordingly urges the elected members of the MF&CDA to endorse the FBU recommendation number 1 above and to adopt a ZERO fire deaths target.

A properly integrated and risk managed plan should have ZERO fire deaths as its core theme and driving target. Effective leadership at Authority level is essential in this respect. The FBU reiterates that it is imperative for the Authority to adopt ZERO Fire Deaths as a policy target.

INTRODUCTION

The Merseyside FBU's IRMP Committee recognises the true potential of effective integrated risk management planning. However this potential will only be realised where the mix of prevention, detection and emergency intervention is optimised at both Service and station levels.

However, Firefighters and Emergency Fire Controls Operators are extremely concerned that a simple cost-cutting approach is being advocated by MF&CDA and its professional advisors in the Year 2 supplement, specifically the currently proposed staffing model.

Staff working in the front-line of service delivery are clear as to the type of support they need from the Authority to improve their effectiveness in saving lives and property across the whole of the Merseyside area.

From the professional perspective of these front-line staff, the key to effective Integrated Risk Management Planning lies in the complete integration of preventative activity and robust emergency response capability at station level.

The FBU also notes that the current budget deficit which stands at a record £8.5M should not impact on any IRMP as the plan is by definition a management plan based on risk rather than a plan based on revenue. Elected members may view this statement as simplified but the Union firmly believe that is the case.

The FBU would request information from the Authority if the budget crisis will impact on issues contained within this plan and if so, the FBU believe that the Plan in its entirety is flawed.

The FBU notes the introduction of the Civil Contingencies Act and is committed to develop such strategies as is necessary to meet the requirements of that Act through the agreed procedures in place within MF&RS.

The FBU further notes the comments contained within the introduction regarding the issue of regional Control Centres. The FBU ask the elected members to consider this issue in detail and to note that a number of FRA's have criticised this proposal as costly and unnecessary and a proposal that could detrimentally impact upon Service delivery. The FBU provide as annex 1, the national FBU document regarding this issue.

The FBU notes that the Authority declares its duty with regard to Best Value, the FBU however, have some concern to the commitment to this legislation with some policies being implemented with revenue spent unnecessarily. The FBU would welcome a meeting with Authority members to resolve this issue to the benefit of all.

PREVENTION AND PROTECTION.

Home Fire Safety Checks:

The FBU are fully committed to Community Fire Safety (CFS) and welcome the fact that central funding is now, for the first time, available and that CFS is now a recognised function of Fire and Rescue Services through the Fire and Rescue Services Act.

The FBU urges the Authority not to take the eye of the ball in terms of CFS and that to properly underpin all CFS strategies requires the appropriate emergency response. It is true to say that with more and more homes within Merseyside receiving free smoke alarms through Merseyside firefighters undertaking free Home Fire Safety Checks, then more and more people are becoming alerted to fires in the home earlier than before, meaning that the emergency response to rescue those trapped in fire is more necessary then ever before. It is pointless to have in place strategies to alert Merseyside community members early to fire in the home if there is a detrimental impact on the ability for the emergency response to arrive at the incident in the quickest time

possible, with safe and adequate numbers of firefighters to be able to effect those firefighting duties.

The FBU believe that MF&RS have quite properly entered into a duty of care arrangement with those community members who we have fitted free smoke detectors and fire suppression equipment and the Union believe that a proper system of audit, monitor and revisit is considered that includes the significant workload in refitting batteries or replacing defective fire detection equipment.

Whilst any reduction in fire deaths in the home which may have been attributed to successful MF&RS preventatives is welcomed by the FBU, the contribution of fire and rescue service emergency response to saving lives in England has been consistently demonstrated over the previous 10 years.

Successful rescues by firefighters from fires in dwellings have risen from 2,716 in 1994 to 3,868 in 2003. Successful rescues by firefighters from all fires have risen from 3,222 in 1994 to 4,341 in 2003. Those figures do not include persons who escape before the arrival of the service, or those who are evacuated as a result of a fire. The full 10 year rescue statistics were revealed in a written answer to a Parliamentary Question on the 16th June 2005 (*House of Commons Fire (1632) 16th June 2005*). That fact should be paraded as the success story of the Fire and rescue Service but strangely has not.

Jim Fitzpatrick: The number of people rescued alive from fires by fire & rescue service personnel in England are shown for each year 1994 to 2003 in the following table.

	Rescued casualties ⁽⁹⁾		Rescued unharmed ⁽¹⁰⁾		All people rescued alive	
	All fires	Dwelling fires	All fires	Dwelling fires	All fires	Dwelling fires
1994	2,072	1,815	1,150	901	3,222	2,716
1995	2,317	2,034	1,155	918	3,472	2,952
1996	2,442	2,138	1,022	864	3,464	3,002
1997	2,684	2,347	889	701	3,573	3,048
1998	2,545	2,300	959	811	3,504	3,111
1999	2,511	2,252	1,413	1,043	3,924	3,295
2000	2,728	2,641	2,155	1,627	4,883	4,268
2001	2,671	2,412	1,409	1,176	4,080	3,588
2002⁽¹¹⁾	2,829	2,580	1,763	1,589	4,592	4,169
2003⁽¹¹⁾	2,735	2,441	1,606	1,427	4,341	3,868

⁽⁹⁾ Based on all primary fires attended. Casualties include people who were injured or required a precautionary check-up.

⁽¹⁰⁾ Based on a grossed up 20 per cent. sample of primary fires attended.

⁽¹¹⁾ Data include estimates for incidents not recorded during periods of national industrial action in 2002 and 2003.

Source: Fire & Rescue Service FDR1 returns to ODPM.

Best Value Review of Fire Safety:

The Regulatory Reform (Fire Safety) Order 2005 (RRO) which is due to come into force on the 1st April 2006, but looks likely to be further delayed, offers one of the most significant advances in fire safety legislation for over 30 years and certainly since the advent of the Fire Precautions Act in 1971. Yet it only merits three paragraphs within

the Fire and Rescue Service National Framework document 2005/6 and the policy advice offered to the fire and rescue authorities upon it is minimal.

It is generally agreed that the success of the Fire Safety Order (which replaces a very successful fire safety statute the Fire Precautions Act 1971 and implements the principle of risk assessment by the risk maker to deal with the risk of fire) in maintaining the current very high levels of non domestic fire safety will revolve entirely around the enforcement activities of the fire and rescue authorities.

The FBU see the introduction of the RRO as leading to a significant increase in Fire Safety workload, specifically in the first number of years, and notes that a number of NW Fire and Rescue Authorities have either no intention to decrease numbers of fire safety personnel or indeed actually increase those numbers to meet the challenge of the RRO.

The FBU opposed the reduction in the amount of uniformed Fire Safety personnel (*see recommendation 3 above*) and continue to oppose that reduction.

The FBU strongly urge the Authority to closely monitor and review this proposal in the light of the FBU concerns and to closely monitor the impact that a significant reduction in uniformed fire safety staff will have upon BVPI 207 which requires a reduction in fires in non-domestic premises per 1000 non-domestic premises.

The FBU have previously presented to the Authority a detailed document on this issue.

Emergency Response:

The FBU recommendation to the 2004/05 IRMP stated:

FBU Recommendation 4:

That a full and extensive consultation programme is undertaken with the FBU on any proposed revision of standards of fire cover with agreed outcomes based on qualitative and quantitative data and evidence. These agreed outcomes to be trialled to ensure a safer and more effective Fire Service is available to those who work in, and require assistance from.

This FBU recommendation has not been adopted.

The FBU remains extremely concerned that the Authority only aims to achieve these standards on 90% of occasions, rather than on 100% of occasions.

The FBU is aware that the ODPM has provided the Authority with a computer-based risk level determination tool (the FSEC Toolkit) which allows the Authority to consider risk in the Merseyside in terms of 4 risk types (or planes) as follows:

- **Dwellings** - covering single occupancy dwellings
- **Other Buildings** - covering all commercial buildings and some high occupancy residential buildings such as tower blocks

- **Special Services** - covering all special services including Road Traffic Accidents (RTAs), extrications, chemical incidents
- **Major Incidents** - covering major incidents such as bombs and floods.

The FBU is unaware of any risk assessments which have been undertaken based on the risk levels indicated by this Toolkit and so again cannot at this time provide comment upon this issue.

Threat Response Group:

The FBU provide broad support for this innovative proposal and look forward to negotiation/consultation on this matter.

Marine Rescue:

The FBU welcome the introduction of river rescue capability but are puzzled to why this capability is not mainstreamed into the operational capability. Operational firefighters work and train with the marine rescue team and as such the FBU urge the Authority to consider and implementing wider training to the marine rescue team to become an integral and dedicated part of the operational service, such as is evident within London Fire Brigade. Such agreement would not only increase a river rescue capability but play an integral role in firefighting response in and around the river.

The FBU urge the Authority to consider and implementing wider operational training to the marine rescue team so as to become an integral and dedicated part of the operational fire and rescue service.

Off Shore and At Sea Firefighting:

The FBU could offer support to this form of firefighting given that insurance issues are resolved. The FBU believe this is wholly achievable with political and managerial will and with constructive dialogue. The FBU request tripartite discussions with the FBU, management and elected members to progress this issue.

Low Level of Risk and Activity Stations (LLAR):

This issue is currently under discussion in the negotiation procedures, but the FBU have strong concerns about the wider proposal as they stand. The FBU have requested NJC determination on the Working Time Regulations (WTR) which would play a fundamental part in negotiations on this matter.

The FBU note that the proposal requires members to live and work on the Station for anything between 3 and 5 days. That proposal may well become unlawful if the opt out of the (WTR) becomes unavailable to the Authority, as expected by the FBU. Elected members will be aware of that possibility and the ongoing discussions at ministerial level due to European Directives.

MF&RS management have also negotiated with individual members and agreed terms and conditions packages that include pay and hours of duty outside of the agreed procedures. The FBU is in dialogue with management to attempt to avert a dispute on

this matter and is awaiting written confirmation that MF&RS will abide by the Grey Book procedures to allow negotiations to continue. The FBU request MF&CDA to remind Service Officers of the Authority policy requiring all managers to remain within the Grey Book on such matters.

Small Fires Unit:

The Authority will be aware that the FBU consider this to be a dangerous concept, the Authority will also be aware that after a dispute hearing at JCP level which found in favour of the Service, the FBU lifted our objection to the small fires unit in January 2005.

The FBU remain concerned, however, that any further expansion of firefighting with three firefighters could detrimentally impact on Service delivery and could lead to an increased risk to community members and firefighters alike.

Appliance Numbers and Locations:

The Authorities IRMP states that:

'We will maintain a rescue pump in each station area 24 hours a day to continue to strive towards achievement of the very high response standards we have set. These standards are higher than previously set by the Government and are amongst the highest in the country.'

The FBU have to inform MF&CDA that MF&RS are in fundamental breach of this standard with a number of rescue pumps unavailable in their station area for a number of reasons, such as Crew Based Training at the Safety Training Centre.

The FBU request urgent discussions with elected members on this issue.

The FBU note with concern the notion of varying the number of fire appliances at different times of the day and view this notion as a dangerous concept.

The FBU reserve further comment until the research data and relevant risk assessments are concluded, with the FBU having the opportunity to analyse that data.

Volunteer Service at Rainford:

The FBU offer qualified support to this proposal, with the qualification being there being no detriment to front line services to communities elsewhere in the borough.

Extend Co-responder Scheme:

Members will be fully aware of the continuing trade dispute between the FBU and MF&CDA on this matter, with a successful ballot of FBU members. The FBU have made approaches to attempt to resolve this dispute as the Union see no merit in allowing a trade dispute continue ad infinitum. The Union, however, is concerned that it is the only party in this dispute that has attempted to resolve this dispute and would welcome discussions with members to pursue resolution.

Attendance at Unwanted Fire Alarms:

The FBU do not support the reduction in any attendance to an AFA but does support the strategies the Service has adopted on reducing unwanted AFA's by education and training of worst offenders rather than charging or reducing attendances.

The FBU have supported the use of a motorbike as this was in addition to the normal emergency response not instead of it. The FBU have concerns after a trial period, that the officer is reported to be investigating the incident outside of safe working practises, with inadequate Personal Protective Equipment (PPE) and will be pursuing this through the MF&CDA Health and Safety Committee.

Annualised Hours/Part Time Working:

Members will be aware of the ongoing dispute between the FBU and MF&RS, which is to be heard at NJC level on 9th February 2006. The FBU believe it is prudent to await NJC decision before commenting further on this matter.

Station Locality Managers:

The FBU have written to the employers' joint secretary in correspondence dated 17th November 2005, requesting a meeting to progress this issue and is still awaiting a reply to arrange a date, time and venue to discuss this issue. Members are reminded that any delay in this matter lies with MF&RS.

The FBU believe consultation should conclude before further comment is given.

Drink & Drug Testing:

The FBU remain opposed to this policy, specifically random drink and drug testing. The FBU note there are considerable studies undertaken on this matter and could be construed as unlawful.