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James Brokenshire MP
Minister of State
Home Office
2 Marsham Street
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Dear Minister

COVID-19 and the fire and rescue service response

The coronavirus outbreak is having an impact on many services, particularly in the health and social care sectors but also in the fire and rescue service. The fire and rescue service is addressing the issue of balancing the need to maintain an appropriate level of prevention, protection and enforcement activity against the need to protect firefighters and the public from cross-infection. This is being done by adopting a risk-assessed approach to such activity.

The availability of staff is beginning to be affected and fire and rescue services are considering measures which may be necessary as the situation worsens. The FBU is in dialogue with the national employers and the NFCC to find joint solutions and common approaches on these measures to assist local employers, services and union officials.

The measures being contemplated fall into three broad categories:

1. Measures to maximise the availability of personnel through additional shifts/hours of work, and/or temporary modification of duty system patterns.
2. The introduction of additional types of work activity to assist the public, including to assist in the responsibilities of other agencies.
3. The consideration of asking retired or out of trade former fire and rescue service operational personnel to volunteer to return to work.

We will work with the national employers and the NFCC to try to find joint solutions.

Additional hours/shifts and temporary adjustments to shift systems

Additional hours of work/shifts place firefighters, and therefore the members of their households, at greater risk of becoming carriers of, or being infected by, coronavirus. Firefighters already work 42 hours per week and any additional hours will have an impact upon fatigue levels. In addition, this crisis should not be taken as an opportunity to undermine contractual terms and conditions.

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Accordingly, the FBU's approach in respect of additional hours is based on the following minimum principles:

- That variations are agreed with the Fire Brigades Union;
- That all additional hours/shifts are voluntary;
- That any additional hours/shifts are necessary because of an actual shortage of available personnel. Before asking for additional hours each FRS should have exhausted all other reasonable means of releasing currently-competent personnel to ride the appliances with no reduction in rank/role or salary. Examples of this include cancellation of all non-essential courses and training. Individual needs should be properly risk-assessed; voluntary cancellation of leave with safeguards that leave can be taken. We do not accept the purchase of leave;
- That each FRS keeps a record of all hours worked by each individual employee and this data is shared with the FBU health and safety representatives at FRS-level;
- Temporary adjustments to duty system patterns must be agreed with the Fire Brigades Union;
- As far as possible such adjustments must be voluntary and must accommodate individual/family needs;
- Any adjustments must be to realistically meet the demands of the current crisis;
- Adjustments should not be made to duty patterns where other adjustments could achieve the same ends.

Additional work-activity by firefighters – arising from the coronavirus outbreak

The Fire Brigades Union fully recognises additional burdens placed on health and care services as a consequence of the coronavirus outbreak. Firefighters will want to do what they can to support communities during this crisis.

We note that these proposals for additional types of work activity come at a time when fire and rescue services are anticipating significant shortfalls in the number of firefighters available to meet the core responsibilities of the fire and rescue service.

The minimum principles which we apply to additional types of work activity are:

- They should be part of a list agreed with the Fire Brigade Union as appropriate/suitable and safe at national level;
- They must be commensurate with the skill sets of firefighters;
- They must not disproportionately increase the likelihood of cross-infection between firefighters and members of the public;
- They must not require intensive training as this would undermine the social-distancing practices which we should all be following as much as possible;
- As far as possible, they should be undertaken on a voluntary basis.

Deployment of retired, out of trade, agency or private fire companies

A safe system of work particularly in the fire and rescue service requires:

- Well-trained, well-practiced and properly assessed competent personnel
- Personnel being physically fit to perform the job
- Personnel being provided with the right equipment including appropriate PPE/RPE
- The correct and safe procedures which are fit for purpose, understood and well-practised
- Sufficient numbers of firefighters to ensure that all requisite tasks and complementary activities are being undertaken
- Operations being conducted according to a plan which is implemented by trained, competent supervisory officers for command and control who have confidence in, and enjoy the confidence of the personnel under their supervision

These factors ensure that there is confidence and trust in the system and in the crews on the ground, including supervisory officers, so that operations can be effectively undertaken in dealing with hazardous incidents. A weakness or failing in any one of those elements means that a safe system of work breaks down, creating dangers for personnel. Any such weakness or failing also compromises the operation itself.

It has been suggested that these normal requirements could be relaxed in the present circumstances; for example by utilising retired firefighters; members of the armed forces; agency workers and or private companies which offer to provide “fire cover”. Such suggestions are not welcome since they would undermine the requirements for safe and effective operations on the incident ground as set out above.

Fire and rescue service resilience has been undermined by a decade of cuts

The FBU is committed to the principles of safe practice and public service and we approach the current situation with this in mind. However, it is impossible to assess the demands we now face without considering the background; of underfunding and of unprecedented cuts in the numbers of firefighters. These have undermined resilience in the face of the current crisis.

We note that in some fire and rescue services, as a consequence of the unlawful introduction of the shift system often called *day crewing plus or close proximity crewing*, fire and rescue services have at a stroke halved the number of firefighters available at the station. They have created a situation whereby some firefighters are already undertaking 84 hours of duty per week (96 hours/8 day cycle) – and as a consequence these services have made themselves additionally vulnerable in the event of a firefighter being affected by coronavirus as the loss of availability of one firefighter has twice the impact as the loss of a firefighter working 42 hours per week. At the same time they have slashed the number of firefighters available to safely undertake additional hours.

Additionally, in many fire and rescue services the staffing models make the provision of fire and emergency cover in normal times structurally dependent upon the performance of additional hours/shifts. In other words, against FBU advice, many fire and rescue services have significantly reduced the ability of firefighters to safely exercise goodwill and provide additional support to our communities in the current circumstances.

In addition, for the past four years, the Fire Brigades Union has been seeking to expand the role of the fire and rescue service and thereby the activities of firefighters. These talks could have delivered significant improvements which would have proved invaluable in the current situation. Unfortunately, that opportunity was not taken up by central government and this position has not changed throughout the tenures of four Westminster fire ministers.

Lack of preparedness for national emergency

The FBU believes that there has been a lack of adequate emergency planning and preparation. Such planning is required by legislation and by government policy. There is therefore additionally a lack of adequate oversight of emergency planning.

In 2004 two major legislative changes affecting the fire and rescue service took place. Firstly, new primary legislation for fire and rescue services (in England: the *Fire and Rescue Services Act 2004*) was introduced in England, Scotland, Wales and Northern Ireland. Secondly, the new primary legislation for civil emergencies – the *Civil Contingencies Act 2004* (CCA) was introduced.

The FBU has been consistent in expressing our concerns about the fire policy regime created after 2004. It has fragmented the fire and rescue service and undermined national standards. Most significantly in the current circumstances, it has undermined and weakened resilience across the service.

The Civil Contingencies Act introduced statutory obligations on Category 1 responders, including fire and rescue services, to ensure that they have sufficient resources to maintain and provide business continuity that would account and prepare for:

- a. normal foreseen demand; and
- b. adequate additional resources to deal with serious and major local and national emergencies defined (in short) as:
 - *an event or situation which threatens serious damage to human welfare;*
 - *an event or situation which threatens serious damage to the environment; or*
 - *war, or terrorism, which threatens serious damage to security.*

The civil protection duties placed upon Category 1 responders include the requirement to:

- *Assess the risk of emergencies occurring and use this to inform contingency planning;*
- *Put in place emergency plans;*
- *Put in place Business Continuity Management arrangements;*

Risk planning and the National Risk Register

The specific type of emergency risks which Category 1 responders should prepare for are identified and explained in the *National Risk Register of Civil Emergencies* (NRR). There have been five editions of the NRR since 2008 (plus one update published in 2012). In each iteration of the NRR, pandemic influenza has been rated as the highest risk, based upon a relative likelihood/relative impact assessment. Other high level risks *include*: coastal flooding; inland flooding; attacks on critical infrastructure; attacks on crowded places; severe weather; major industrial accidents.

Whilst the symptoms and other specifics of pandemic influenza are different to those of coronavirus, the measures to achieve preparedness, as far as the fire and rescue service is concerned, are largely identical. However, it is evident that there has been an absence of any such preparation by fire and rescue services for *such events, e.g. to provide for:*

- the additional demands on the service;
- the additional primary resources (including appliances and personnel);
- the additional equipment;
- the requisite operational procedures and
- the planning for the strains upon the availability of personnel.

In other words, there has been a clear requirement under legislation to undertake serious risk-based planning for precisely the type of challenge now faced as a result of the coronavirus pandemic.

The position is actually *much worse* than not ensuring there is additional capacity and resource. During the period when such increased resource should have been put in place, fire and rescue services have cut the resources and capacity required for normal times, let alone extraordinary civil emergencies.

The FBU has challenged these cuts, including:

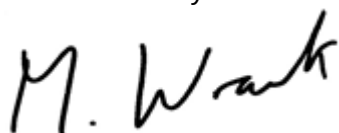
- the closure of stations;
- the reduction in overall numbers of firefighters including emergency fire control staff;
- the reduction in the number of managers (officers) required for command and control and FRS-management and planning;
- the reduction in the number of control rooms;
- the reduction in the number of appliances;
- the reduction in crewing levels on appliances and in control rooms;
- the introduction of small fire vehicles with inadequate levels of equipment;
- introduction and spread of the practice of non-primary crewing of special appliances;
- the introduction of 'lean crewing' (or 'lean staffing');
- the reduction in the availability of personnel available on the retained duty system;
- the reduction of watch sizes at whole time stations,
- the introduction of day crewing plus/close proximity crewing which at a stroke halves the number of personnel available at a fire station.

Summary

The current crisis highlights the underfunding and lack of resilience within the fire and rescue service. It also highlights that the systems of assurance related to fire and rescue have also clearly failed.

We will work with others to enable firefighters to do their utmost to assist communities through the current crisis. At the same time we hope that this crisis and the lack of preparedness in the fire sector which it has revealed will provide the impetus for a significant change of approach for the future.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Wrack', written in a cursive style.

Matt Wrack
General Secretary

cc: Naomi Cooke – (Fire Service Employers)
Roy Wilsher (NFCC)