



West Yorkshire
Fire & Rescue Service

Day Crewing Duty System Policy (Grey Book) HRPOL011

OFFICIAL

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Reviewers

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1	Day Crewing Duty System Policy.....	4
1.1	Introduction	4
1.2	DC Duty System.....	4
1.3	Hours of Work	4
1.4	Payment.....	5
1.5	Allowances.....	6
1.6	Overtime	6
1.7	Leave	7
1.8	Training Courses.....	7
1.9	Training Courses/Seminars/Crew Based Assessments	7
1.10	Absence Cover.....	7
1.11	Non-DC Staff Members	7
1.12	Driving Standards.....	8
1.13	Not Responding in Standby Hours	8
1.14	Termination of Allowances	8
1.15	Transfers and Promotions	9
1.16	Pre-Arranged Detached Duties/Detached Duties	9
1.17	Changes to PADD/DD and Training Courses	10
1.18	Relocation Assistance	10
2	Appendix 1 – The Working Time Regulations 1998	11
2.1	Individual Voluntary Agreement (HRFRM201).....	11
3	Appendix 2 – Additional Allowances	12
3.1	Compensatory Grant.....	12
3.2	Rent, Fuel and Light.....	12
4	Appendix 3 – OT/PADD/DD Payment Table	13

1 Day Crewing Duty System Policy

1.1 Introduction

The Day Crewing (DC) duty system is where DC staff members work a combination of positive and standby hours over a 24 hour period. Positive hours are worked on the fire station and standby hours are worked 'on call' from a residence within a 5 minute 'turn in' area of the station.

Therefore, staff members working the DC system are required to reside (and provide an address) within a 5 minute turn in area of the station in either permanent or rented accommodation. Temporary accommodation such as living in caravans, motorhomes, tents, cars and vans on public areas or fire stations are not allowed. This address must be recorded in the personal details section in the Access system and kept updated and accurate as necessary. This is required for welfare and emergency contact reasons.

The arrangement of positive and standby hours enables staff members to provide an immediate response to an incident call during positive hours and up to a 5-minute delayed response during standby hours.

No existing staff member will be forced to work on the DC duty system. When vacancies exist volunteers will be required to enter a selection process, if required, to appoint the most suitable candidate.

1.2 DC Duty System

The DC duty system is included in the National Joint Council for Local Authority Fire and Rescue Services - Scheme of Conditions of Service (Grey Book). This states that the hours of duty of full-time staff members on this system shall be an average of forty-two per week. The hours of duty of part-time staff members shall be pro-rata. The rota will be based on the following principles:

1. An average of thirty five hours per week shall be worked at the station.
2. An average of seven hours per week shall be on standby at home. Staff members are required to respond to any emergency call received during this standby period.
3. Staff members on this system may be requested to undertake retained duties outside the hours at (1) and (2).
4. There shall be at least two complete periods of twenty-four hours free from any duty each week.
5. One hour per day shall be specified as a meal break. Account shall be taken of meal breaks interrupted by emergency calls.

Locally agreed shift pattern variations may be worked as long as it meets the criteria set out above, staffing/attribute levels are maintained, surplus staffing is avoided, and DC staff members and local (Station Manager) and senior management (Group Manager District and Group Manager Employee Resources) are in full agreement. If there is no agreement and/or DC staffing levels are repeatedly too low or too high then the 4-4 shift pattern will be the duty system imposed.

1.3 Hours of Work

An individual shift is 24 hours in duration which is split into positive and standby as shown below:

- Positive hours are from 08.00 - 17.00 (9 hours)
- Standby hours are from 17.00 - 08.00 (15 hours)

DC staff members who are required to attend an incident or training course during standby hours (17.00 hours to 08.00 hours) will accrue the equivalent hours as positive hours. The equivalent positive hours accrued can then be taken as standby hours on positive hours e.g. the relevant line manager will assess the amount of positive and standby hours, as per the operational activity, of the DC crew and can adjust the start and finish times for positive and standby hours for the following duty shift.

In certain circumstances, e.g. attending an incident during the standby hours for an extended and prolonged period, or multiple incidents, there is no expectation to attend the following positive hour's duty shift. This is for welfare reasons to allow sufficient rest, recuperation and welfare, i.e. this can be taken as standby hours, standby hours for life risk incidents only or a period taken as time off (off duty). However, in such instances approval will be required from the 1st Call Duty Officer when requesting and undertaking standby hours for life risk incidents only or booking off duty.

Control must be informed of any changes to positive and standby hours. In addition, if this impacts on any planned training course or Pre-Arranged Detached Duties (PADD)/Detached Duties (DD), the relevant departments and stations must be informed as soon as practicable.

Staff members who volunteer to work the DC duty system are required to opt out of the Working Time Regulations 1998. For further information see The Working Time Regulations HRNFG020. A copy of the Individual Voluntary Agreement is shown in Appendix 1 - The Working Time Regulations 1998. This will need completing by all DC staff members and then submitted to Human Resources Department at Fire Service Headquarters (FSHQ) for placement on the staff members personal reference file.

1.4 Payment

DC staff members share payment rules with both Whole-time and Retained Duty System (RDS) staff members. Payment rules are based on the segment of the day the work was started as per the table below:

Times	Payment
0800 -1659	Paid within salary
Turn out that starts before 1700 and goes past 1700	Paid as casual overtime as per the Overtime Policy
Turnout 1700 -0500	Paid as per RDS payment rules
Turnout starting before 0500 and going past 0500	Paid as per RDS payment rules until 0500 then paid within salary
Turnout 0500 -0800	Paid within salary
Turnout going past 0800	Paid within salary (if this is immediately prior to the start of a rota day then this will be paid as casual overtime as per the Overtime Policy)

In addition, DC staff members will receive the following:

- 5% of basic salary as a Duty System Allowance for providing standby cover (Pensionable)
- Turnout and disturbance fees (Pensionable)

A second turnout fee shall be payable in circumstances where a DC staff member, before returning to the home station to book off, is redirected to another incident which is entirely separate and unconnected with the first.

1.5 Allowances

The National Joint Council for Local Authority Fire and Rescue Services - Scheme of Conditions of Service (Grey Book) states that a Fire and Rescue Service may pay rent and/or fuel and light allowance to a staff member on the DC duty system who undertakes RDS duties. A DC staff member who is paid such an allowance shall also be paid a compensatory grant equal to the income tax paid in the previous tax year on both the allowance and on any previous compensatory grant received.

A DC staff member who leaves the service shall be paid the whole of the compensatory grant due to them at that date. In the case of death this amount shall be paid into their estate.

West Yorkshire Fire and Rescue Service (WYFRS) chooses to pay such allowances and grant and the amounts payable are shown in Appendix 2 – Additional Allowances.

1.6 Overtime

DC staff members that cover a DC absence on overtime (OT) will be paid 16 hours at the overtime rate for completing the full 24-hour duty shift. If on the rare occasion that this is split between the positive and standby hours then 9 hours will be paid for the positive hours (08.00 to 17.00) at the overtime rate and 7 hours will be paid for the standby hours (17.00 to 08.00) at the overtime rate.

DC staff members that cover a DC absence on OT during the positive hours that extends to 19.00 hrs (to coincide with the start time of a standard 224 duty night shift) will be paid at the overtime rate for the additional 2 hours (17.00 to 19.00). This will occur when the day shift (positive hours) is covered by the DC staff member and the night shift (standby hours) is covered by a staff member working the 224 duty shift system PADD/DD in, which commences at 19.00 hrs.

DC staff members that cover a DC absence on OT during the standby hours, which commence at 19.00 hrs (to coincide with the finish time of a standard 224 duty day shift) and finishes at 08.00 hrs, will be paid 6 hours at the overtime rate. This will occur when the day shift (positive hours) is covered by a staff member working the 224-duty shift system PADD/DD in, which finishes at 19.00 hrs and the standby hours (19.00 to 08.00) will be covered by the DC staff member.

Only OT that covers positive hours will count towards the maximum limit in the Overtime Policy and the Working Time Regulations. OT that covers standby hours ('on call' away from the workplace) will not be counted towards these maximum limits.

DC staff members that work OT must consider the amount of time worked in respect of rest, welfare and work life balance. OT limits and safeguards that are stipulated in the Overtime Policy must be adhered to.

See Appendix 3 - OT/PADD/DD Payment Table

1.7 Leave

The leave entitlement for staff members working on the DC duty system will be as per the Leave Policy. Leave will also be managed as per the Leave Policy so to facilitate the maintenance of staffing/attribute levels as per the Staffing Policy.

1.8 Training Courses

One day training courses will be classed as a 24-hour period; therefore, DC staff members undertaking a single day training course will be released from duty at the DC station at 08.00 hours on the day of the course for a full 24-hour period. If the DC staff member is scheduled to work day duties the following day, after the course, these duties will commence at 08.00 hours. This principle can be applied for courses of longer durations.

1.9 Training Courses/Seminars/Crew Based Assessments

To minimise the impact of DC staffing levels, where possible, DC staff members self-nominating for courses/seminars/assessments and/or Training Centre nominations should be booked on the first day duty shift. When this is not possible the DC staff member and/or Training Centre must liaise with ERT to arrange and agree the most suitable training date.

When these are undertaken away from the DC station e.g. at FSHQ, off-site etc. consideration must be given to the start and finish times of the course/seminar/assessment and DC working times, travel times/distances and activity undertaken.

The DC crew should be back at their home DC station and available for incident call from 17.00 hrs wherever possible. However, following consultation with and approval from the 1st Call Duty Officer, the DC staff members may be allowed to be available in standby hours from 17.00 hrs for life risk incidents only or a period taken as time off (off duty) to allow rest and recuperation.

1.10 Absence Cover

DC Crew and Watch Managers are responsible for maintaining staffing/attribute levels for their watch/station as per WYFRS Staffing Policy. Therefore, approving leave and training course attendances will only be permitted if these staffing/attribute levels on the DC watch/station can be maintained. In exceptional circumstance the use of PADD/DD from other stations and/or overtime may be authorised to cover planned essential training courses but this will be at the discretion of the Employee Resources Team (ERT).

The methodology used to cover unplanned and short notice absences that result in below the minimum staffing/attribute level is as per WYFRS Staffing Policy.

1.11 Non-DC Staff Members

DC stations must maintain adequate dormitory facilities for non-DC staff members working night duty shifts at the DC station.

The DC station must also have available a DC station induction pack and/or the ability to speak to a DC staff member regarding the station building and facilities, should the non-DC staff member be unfamiliar

with the surroundings. This will be more applicable on night duty shifts when DC staff members are not present. In addition, station risk assessment must be made available which will include lone working. Absences covered by a non-DC staff member on PADD/DD are expected to report at 08.00 hrs for day duty shifts and 19.00 hrs for night duty shifts if parade allowances are to be claimed.

An alerter will be left on station for the non-DC staff member's use, however, this is only to be used in exceptional circumstances for short durations only and the staff member must remain within the 5-minute 'turn in' area. E.g. a non-DC staff member performs a DD at short notice and needs to purchase a meal. In addition, the non-DC staff member must adhere to same driving standards as per DC staff members.

1.12 Driving Standards

DC staff members must proceed to their DC station as safely and as quickly as possible abiding to and in accordance with Road Traffic Regulations and Highway Code when responding to an alerter actuation.

Private vehicles must observe speed restrictions and all other road traffic regulations, even when responding to an emergency incident call.

There are no exemptions from the law.

It is in everyone's interest that proper care should be taken when responding to emergency incident calls, and there should be an appreciation that the difference between a reasonable response and an unreasonable one may only amount to a few seconds. Staff members must not take unnecessary risks.

Staff members that are using vehicles to respond must have adequate and appropriate vehicle insurance to cover the journeys undertaken in these circumstances. In addition, the vehicle must be roadworthy ie taxed and have valid Ministry of Transport (MOT) test certificate where applicable.

1.13 Not Responding in Standby Hours

When a DC staff member is on duty and does not respond in standby hours, the circumstances surrounding the 'non-attendance' will be investigated. The investigation will establish if there was a valid reason for not responding. If there is a failure to provide a suitable reason, then the Performance Improvement Policy will apply in these circumstances. Continuous or regular failure to respond may result in formal action under the Discipline Procedure.

1.14 Termination of DC Contract

Where staff members can no longer meet their contractual obligation, the DC contract will be terminated and applicable allowances will cease to be payable. Appropriate notice, taking into account any tenancy agreement, will be given and the staff member will be redeployed to a suitable and alternative duty system.

DC staff members will not be eligible to claim travelling expenses if they are compulsory transferred from the DC station as a result of not maintaining their contractual obligations or residence within the DC area.

Termination of the DC contract may be as a result of discipline, performance or attendance issues and further guidance can be found in the related policies.

- Discipline Procedure
- Performance Improvement Policy
- Absence and Attendance Management Policy

1.15 Transfers and Promotions

DC staff members who voluntarily accept a permanent transfer or promotion, away from the DC duty system, will no longer be eligible for the associated allowances from the date of the transfer or promotion for the complete period they are not working the DC system.

DC staff members who accept a temporary transfer or promotion, away from the DC duty system, will be eligible to receive rent, fuel and light allowances from the date of the temporary transfer or promotion for a maximum of 6 months. However, they will no longer receive the 5% RDS payment from the date of the transfer or promotion.

The rent, fuel and light allowances will only be paid as long as the DC staff member maintains accommodation in the DC station turn in area.

1.16 Pre-Arranged Detached Duties/Detached Duties

PADD's and DD's from DC stations to other stations are permitted, however, this should be on day shifts only and when all other reasonable practical options have been exhausted.

DC staff members undertaking the PADD/DD can:

- Leave the home station at 08.00hrs and return back for 17.00hrs and undertake standby duties from 17.00 as normal. No parade allowances will be paid
- Leave the home station at 08.00hrs and return back following the end of duty parade at 19.00hrs at the host station and undertake standby duties at the home station on return. Two hours overtime will be paid for the period worked 17.00hrs to 19.00hrs. A single parade allowance for the end of duty parade at the host station will be paid
- Leave the home station in sufficient time to arrive at the host station for the start of duty parade at 08.00hrs and return back to the home station for 17.00hrs and undertake standby duties from 17.00hrs as normal. A single parade allowance for the start of duty parade at the host station will be paid
- Leave the home station in sufficient time to arrive at the host station for the start of duty parade at 08.00hrs, return back following the end of duty parade at 19.00hrs at the host station and undertake standby duties at the home station on return for the remainder of the duty shift as normal. Two hours overtime will be paid for the period worked 17.00hrs to 19.00hrs. Two parade allowances for the start and end of duty parade at the host station will be paid
- Leave the home station in sufficient time to arrive at the host station for the start of duty parade at 08.00hrs, return back following the end of duty parade at 19.00hrs at the host station and are not required to undertake standby duties at the home station on return, therefore, are 'off duty' for the remainder of the duty shift. Two hours overtime will be paid for the period worked 17.00hrs to 19.00hrs. Two parade allowances for the start and end of duty parade at the host station will be paid

Consideration will also be required regarding the 'setting off' time for DC members undertaking PADD/DD as this may affect staffing/attribute levels at the home station and may dictate when the PADD/DD sets off.

DC staff members undertaking PADD/DD's at other DC stations will only be entitled to the end of duty parade allowance for staying in attendance at the host DC station until 19.00hrs. DC stations only have

one parade per 24-hour period at 08.00hrs, however an end of duty parade allowance will still be payable at 19.00hrs.

See Appendix 3 - PAOT/PADD/DD Payment Table.

1.17 Changes to PADD/DD and Training Courses

Any changes to planned PADD/DD and/or training course attendance as a result of prior operational activity in the standby hours (as per 1.3 above) must be communicated to the relevant station/ departments. This is required so that any necessary alternative arrangements can be made e.g. an alternative DD organised etc.

If staffing/attribute levels are not affected the DC staff member who is undertaking a PADD/DD or training course following standby hours (ie night before) may be released from duty at 12 midnight. This is to facilitate attendance without disturbance by operational activity.

1.18 Relocation Assistance

Relocation assistance may be available to staff members that relocate into a DC station area and work at the DC station on the DC shift system. See Relocation Assistance Policy for further details.

2 Appendix 1 – The Working Time Regulations 1998

2.1 Individual Voluntary Agreement ([HRFRM201](#))

THE WORKING TIME REGULATIONS 1998 INDIVIDUAL VOLUNTARY AGREEMENT West Yorkshire Fire & Rescue Service

In accordance with the provisions of the Working Time Regulations 1998 I confirm that I,

have agreed with my employer, West Yorkshire Fire & Rescue Service that the Regulations shall not apply in my case.

I understand that I am not under any obligation to work in excess of an average of more than forty-eight (48) hours, including overtime, over a period of 17 weeks. This Agreement by me is therefore purely voluntary and it means that:-

- i. My working hours will not be limited to an average of forty-eight (48) hours over a 17 week period;
- ii. I may withdraw from this Agreement at any time upon giving my employer a minimum of twelve (12) weeks' notice to that effect;
- iii. My employer is also entitled to bring this Agreement to an end by giving me a minimum of twelve (12) weeks' notice to that effect.
- iv. In line with the Authority's Health & Safety Policy regular reviews will be held. Should a review result, deem me unable to work over 48 hours, this agreement will be terminated immediately and management will consult with me on an individual basis regarding working hours and patterns.
- v. The effective date of commencement of this Agreement will be _____
- vi. Any subsequent agreement as agreed on an Authority Wide basis will override this Agreement.

I confirm my agreement to the above terms and acknowledge that I have received a copy of this document for my personal information and records.

Signature _____ Date _____

3 Appendix 2 – Additional Allowances

3.1 Compensatory Grant

The compensatory grant is a refund of tax paid on fuel and rent allowances over the previous tax year. It is calculated by Kirklees (Payroll Administrator) and is paid as an annual lump sum.

The amount varies for each DC staff member; however, the current approximate amount is £1000.

3.2 Rent, Fuel and Light

The rent, fuel and light allowance is a single combined allowance paid as a contribution to accommodation and living expenses for that DC station area and is an amount that has been set using individual previous allowance amounts and professional judgement. This allowance is non-pensionable and will be paid every four weeks. It will be assessed by the Finance Department on an annual basis (usually to take effect from 1st April) using the Retail Price Index (inflation) for housing/rent and professional judgement, and updated as required.

The current combined rent, fuel and light allowance for each DC station is shown in the table below:

DC Station	4 weekly Rent, Fuel and Light allowance
Wetherby	£610.00
Morley	£510.00
Garforth	£510.00
Rothwell	£510.00
Rawdon	£540.00
Todmorden	£490.00

These allowances are effective from 1st April 2019. This appendix will be amended annually as allowances are updated.

4 Appendix 3 – OT/PADD/DD Payment Table

Overtime Payments	OT Payment	Other Allowances
Day 0800 to 1700 (positive hours)	9 hours	No turnout/disturbance fee
Night 1700 to 0800 (standby hours)	7 hours	Turnout/disturbance fee
Day 0800 to 1900 (positive hours)	11 hours	No turnout/disturbance fee
Night 1900 to 0800 (standby hours)	6 hours	Turnout/disturbance fee

Pre-arranged Detached Duties	OT Payment	Other Allowances
Day 0800 to 1700 (positive hours)	None	Parade allowance per parade (should be 0800 parade only) + any additional travelling expenses
Day 0800 to 1900 (positive hours)	2 hours	Parade allowance per parade (should be both parades) + any additional travelling expenses

Detached Duties	OT Payment	Other Allowances
Day 0800 to 1700 (positive hours)	None	Parade allowance per parade (will probably be none) + meal allowance + any additional travelling expenses
Day 0800 to 1900 (positive hours)	2 hours	Parade allowance per parade (will probably be the 1900 parade only) + meal allowance + any additional travelling expenses