



APSE briefing 12-18

Advice on potential fuel shortages and contingency plans for frontline services

Key issues

- UNITE The union have received a positive vote for strike action concerning a dispute relating to the fragmentation of service standards and health and safety issues in relation to fuel tanker drivers responsible for delivery of fuel
- A date for strike action has not yet been set but could see, if talks with ACAS are unsuccessful, two initial strike days which could take place during April.
- The employers side businesses concerned with this dispute are Suckling, Hoyer, DHL, Turners, and BP
- The dispute could have an impact on the delivery of local government services, including frontline services

1. Introduction

UNITE the union and several haulier contractors responsible for the distribution of fuel to petrol stations throughout the UK are in dispute about the fragmentation of service standards, repeated staff transfers to new contractors and health and safety matters. The dispute resulted in UNITE conducting a strike ballot and in five of the seven ballots conducted received a positive vote for strike action.

Under UK trade union laws UNITE would be required to give seven days notice of action and in any event action would need to commence within 28 days of the ballot results being announced which would be Monday 23 April 2012. There is, as yet, no strike day(s) announced and despite under-reporting in the press UNITE has formally welcomed the intervention of ACAS.

2. What action has been taken so far?

The Government operates an emergency committee known as COBRA and a meeting was convened on the 28 March which was chaired by the Prime Minister, David Cameron specifically on fuel contingencies. A Downing Street spokesperson said "COBRA discussed the range of contingency plans that the Government has been preparing in the event of a strike, aimed at getting supplies through to emergency and essential services and to build a level of resilience in the system for businesses and motorists. It also looked to further

measures to strengthen the resilience of the fuel supply including by increasing the potential number of military drivers and by maximising the levels of fuel storage capacity outside of depots”.

UNITE has already offered assurance that it will issue exemptions to safeguard emergency service supplies. This process operated during the fuel blockades of 2000, which were significantly different in nature to the proposed official strike action.

Nevertheless there is a paucity of information and some confusion on the outcomes of the COBRA meeting. Initially motorists were advised to continue to take sensible precautions to prepare for the impacts of a possible strike with Government saying that whilst there was no need to queue for petrol ‘in the normal course of business, motorists should consider keeping their tanks topped up’. This led to some initial queuing at petrol station and could trigger shortages in advance of strike action as petrol sales figures suggest that consumption increased by 81% over the last two days.

3. What will be the impact on local government?

It is likely that the Government will produce a list of what it considers to be emergency or exempted services and through negotiation with the employers and trade union side, will agree, should strike action take place, contingency measures for certain services and in the event of non-agreement enforce emergency operations to ensure delivery (potentially using the Army or RAF). This would include of course services such as the police and the health service and in particular ambulance services. However the any fuel shortage will also impact on local authorities including:

- Social services - particularly meals on wheels and the provision of care services to the housebound
- Education services such as school transport and school meals
- Environmental services such as refuse collection, disposal and recycling
- Fire services
- Social housing emergency repairs teams

It is likely that arrangements, as in the 2000 fuel blockades, would be put in place for designated service stations to be used to allow local authorities to access fuel and that in any event local authority emergency planning officers and police would be involved in regulating the use of the stations. No formal announcements however have yet been made in this regard.

4. What measures should councils consider?

Service delivery planning

It may be advisable for frontline service managers to consider, in the event of a fuel shortage affecting council fleet, the prioritisation of services such as social care needs or services that might otherwise create any public health hazard or safety hazard, such as refuse collection or certain services to schools or vulnerable people.

Consider measures now to conserve fuel usage

In considering planning for service continuity it is possible to take measures, as many councils have already done, to encourage fuel efficient driving. More details can be found on the [DFT website](#) but measures include:

- making sure that tyres are inflated to the correct pressure
- removing any unnecessary clutter from vehicles
- keeping vehicle speed down, e.g. it can cost up to 25 per cent more to drive at 70 miles per hour (mph) compared to 50mph - driving at 50-60mph also produces the lowest emissions
- avoiding harsh braking and acceleration
- switching off the engine when at a standstill for more than three minutes
- using air conditioning and other on-board electrical devices such as mobile phone chargers sparingly as this increases fuel consumption
- pre-planning routes - you can reduce the impact of journeys by using less congested routes and avoiding peak travel times – this may mean for example temporary reconfiguration of service times or routes for services such as refuse collection or recycling
- avoiding using vehicles for short journeys, e.g. combining several short trips into one longer one - cold engines use 60 per cent more fuel per mile than warm engines

For staff not driving fleet but who are nevertheless reliant on their own vehicles to get into depots, Town Halls or other workplaces it is worth considering whether flexible working practices could reduce reliance on personal cars including:

- Encouraging a switch to using public transport to get into work wherever possible
- working from home
- working flexible hours
- teleconferencing or videoconferencing
- providing incentives or encouraging car-sharing with colleagues
- using meeting venues that are easily accessible by public transport or using temporary 'hubs' in more local venues that could use IT systems to link into corporate centres

Workforce issues

For services to continue to the public similarities may be drawn from the experience of councils, during the particular severe winter weather in 2009 and 2010, which led to many staff being unable to get into places of work.

If there is a fuel shortage this may well lead to travel disruption and childcare problems for staff (for example if there any resultant school closures) as well as unexpected disruptions

in day to day arrangements. However there is a need to ensure continuity of service balanced against the fair treatment of staff in unusual circumstances.

Local councils should be mindful to avoid unlawful deductions in pay and an adverse impact on staff morale in the event of staff facing difficulties in getting into work. In any event councils will need to consider the duty to comply with emergency parental leave rights. Many councils may find that the fuel shortage situation, should it occur, will be covered by existing special leave provisions and in the event of doubt it may be helpful to all parties to draw up a short memorandum of understanding, with recognised council trade unions, to clarify any uncertainties as to the application of emergency policies to the fuel shortage situation. In particular consideration should be given to:

- Parental leave rights
- Flexible working / home working
- Ability to 'pay back' time post the emergency situation
- Different working hours to accommodate fuel saving measures / car share arrangements / childcare cover.

It is also worth noting that councils should not encourage staff to enter into unsafe preparations for a fuel shortage which could lead to any claims / liabilities on them as an employer – in particular they ought not to encourage or advise staff on the storing of petrol in order to be prepared to get into work. The fire brigades union has warned that this is not sensible advice and people should be discouraged from doing so. There are real dangers that storing fuel in inappropriate ways will lead to injury. The web-link below to the London Fire Brigade advice and legal limits may be useful to circulate to staff.

Advice to the public and fuel retailers and associated businesses

Council teams and in particular trading standards officers and the fire service may find this [web-link to the London Fire Brigade](#) a useful point of reference for advising staff, residents and fuel and container retailers, about safe fuel storage issues including the legal limits. An advisory note on council websites may also prove helpful to the public and local businesses. In addition it may be helpful to encourage local businesses, in the fuel or transport sectors, to make their customers aware about safe fuel storage issues.

5. What to do to prepare

1. Frontline service managers are vital to the continuation of services to the public and should be involved as part of the emergency planning processes within local authorities
2. Many council services already have effective collaboration arrangements with police, fire and other emergency services on vehicle sharing and these should be considered as part of the response with cross-public service preparation (in line with emergency plans)

3. Local authorities should begin to identify suitable staff such as transport experts, emergency planning staff, social care leads, environmental leads and staff with regulatory experience who would be able to assist in the planning of any response to an emergency situation.
4. HR teams and trade union representatives should sensibly consider staffing issues and agree a course of action that reflects the unique circumstances that a fuel shortage may bring.
5. Consider further communications to frontline service teams on fuel conservation measures and prioritisation issues in advance of any potential shortages to conserve fuel usage.

Further help on driving for work policies and fuel efficiencies can be found here at the [Business Link website](#)

APSE's network query service, which is a free service to APSE member authorities is available free of charge for any authorities who wish to ask peers in other authorities about their plans and responses to the possible fuel shortages. In the meantime APSE would discourage any 'panic' responses to a situation which has not yet been declared as a formal strike but would suggest that service managers and directors are mindful of the issues raised within this briefing in responding to the emerging situation.

If you wish to inform APSE of any action you have taken so far in relation to this matter please email Mo Baines on mbaines@apse.org.uk

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