

Industrial Relations

Purpose of the report

For noting. To update the Fire Commission on matters in relation to fire service industrial relations.

Summary

This paper is for information and briefly describes the main industrial relations issues at present.

Recommendation

Members are asked to note the issues set out in the paper.

Action

This report is for information.

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Background

1. As far as uniformed operational staff from firefighter to Chief Fire Officer levels are concerned they are in the main represented by one of four unions specific to the fire service – the Fire Brigades Union (FBU), the Fire Officers Association (FOA) the Retained Firefighters Union (RFU) and the Association Principal Fire Officers (APFO).
2. Instances of industrial action at national level are unusual. The last national action was undertaken by the Fire Brigades Union some nine years ago in 2003. That dispute led to a substantial raft of changes to working arrangements which have underpinned the modernisation agenda within fire and rescue services since that time.
3. However, industrial relations in the fire service both at national and local level can still be difficult and at times volatile. It therefore requires careful management. There have been a number of instances of industrial action at local level and in normal circumstances the National Joint Council for Local Authority Fire and Rescue Services Joint Secretariat relationship at national level is often used to provide a conciliation service at the request of the local parties and to assist in the identification of a mutually agreeable resolution to the local issue/s. There are also independently chaired national processes which can be of assistance.

Pension scheme reform

4. Pension reform proposals are now moving in to the next formal stage. The LGA has worked closely with Government and the unions from both policy and industrial relations perspectives. Whilst the trade dispute between the FBU and DCLG remains in place there has been no move to industrial action.
5. The lower level of employee contributions in year has been seen by the FBU as an example of Government willingness to listen to its representations. In addition, the two forthcoming reviews (on Opt-Outs and Normal Pension age) are seen as further mechanisms to ensure representations on those points are also heard. The FBU's Executive Council, at the end of March, decided that in light of these and other points there should be no immediate further move towards a ballot for strike action.

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6. Since then, there has not yet been an announcement on the appointment of the Chair of the Normal Pension Age Review (being undertaken through the auspices of the Fire Pensions Committee). This has the potential to cause some concern at union level particularly among those who were cynical that such a review would be a genuine look at the issue, conducted over a timeframe in which the necessary technical work could be carried out. It is understood that an announcement is imminent.

Pay

7. At the time of writing this report members of the Employers' Side of the National Joint Council for Local Authority Fire and Rescue Services have made no firm decisions in respect of pay for 2012. Since the last meeting of the NJC a claim has been put forward by the Employees' Side and members will consider a response when they next meet on 7th June. The usual settlement date for this group is 1 July. No award was made in 2010 or 2011.
8. The claim seeks 'a rise in all NJC rates of pay equal to the percentage increase in inflation as identified by the Retail Price Index (RPI) which is available in June 2012'. That figure is now available - 3.5%.
9. The letter also makes the point that from the Employees' Side perspective the matters of pay awards in 2010 and 2011 are not closed.
10. At the last NJC meeting the Employees' Side was clear that it "would not react in the same way as it has for the last two years" should there be an employer position of no pay award in 2012. Since then the FBU's Executive Council has drafted the recommendation below for consideration at its conference in June.
11. 'The Executive Council recommends to Conference that we seek to resolve pay for the short term and the longer term through discussions with the employers at the NJC. The FBU remains committed to reaching agreement through dialogue and negotiation. However should such an approach not achieve an acceptable pay rise by 1 July 2012 then as part of our strategy the Union will commence a membership campaign preparing for national strike action at the appropriate time.'

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12. Constructive discussion is still taking place but members will wish to be aware that there is a risk at the present time of the FBU taking part in national industrial action later this year.
13. Whilst every reasonable effort will be made to ensure industrial action does not arise authorities will want to make sure appropriate business continuity arrangements are in place.
14. Whilst there is no suggestion of industrial action should it not be met, very recently a claim has also been received from the Association of Principal Fire Officers (APFO). The claim seeks an increase of 1.0% and will be considered by members of the NJC for Brigade Managers (which covers staff employed at Assistant Chief, Deputy Chief and Chief Fire Officer levels) when it next meets.

Local issues

15. Since the last meeting of the Fire Commission the National Joint Secretaries conciliation process has assisted four fire and rescue services on seventeen wide-ranging issues. A further two conciliations are scheduled for this month.
16. In addition, two fire and rescue services referred proposals on the introduction of alternative shift systems to the NJC's Technical Advisory Panel. The panel comprises an Independent Chair and the Joint Secretaries. In both cases the panel's recommendation was accepted by both local parties and will form the basis of local collective agreements.

Working Together

17. Members may also be interested to note that, when requested to do so, the National Joint Secretariat can also work with fire and rescue services that are jointly reviewing their local industrial relations relationship. Such work has been well received.
18. In addition, the Employers' Secretariat can work with management teams solely, for example, where there has been a change in management structure and a number of people are new to direct involvement in industrial relations. The session is not just fire service focused, drawing upon the wider industrial relations expertise within the LGA as well. This too has been well received.