

## **Industrial Relations**

### **Purpose of the Report**

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.

**Contact officer:** Gill Gittins  
**Position:** Principal Negotiating Officer  
**Phone no:** 020 7187 7335  
**E-mail:** [gill.gittins@local.gov.uk](mailto:gill.gittins@local.gov.uk)

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### **National Joint Council issues**

1. The information below provides a brief update on a selection of current NJC for Local Authority Fire and Rescue Services issues.
2. Mileage rates review – agreement has now been reached to alter the mileage rates applicable to essential and casual users. This will be introduced on a phased basis commencing on 1 July 2013 with all essential and casual users covered by a simple link to Her Majesty's Revenue and Customs approved rates by 1 April 2014. Essential users currently covered by the highest category of NJC mileage rate, and who remain in that category on 1 April 2014, will receive a one-off lump sum payment of £100.
3. Based on the information provided to the Secretariat via a survey of fire and rescue services this will deliver significant savings and agreement is in marked contrast to the position taken at national level by local authority unions who have been unwilling to enter into any such agreement. It will also remove the tax administration burden.
4. Pay, terms and conditions – In September 2012 both Sides of the NJC committed to work jointly on changes identified by each Side to ensure that there is a pay framework alongside terms and conditions in the fire and rescue service which reflect the responsibilities of, and current and future demands on, the service and the profession. The original intention had been to conclude this piece of work by June 2013.
5. Discussions have taken place throughout the period to date and both sides are committed to improving the fire and rescue service across the UK. However, both sides of the NJC recognise:
  - 5.1 the increasing need to consider how the workforce's skills and commitment can best be utilised, including the type of activities undertaken, any additional functions that may be required and the implications of this for the nationally agreed rolemaps.
  - 5.2 the potential to build upon, and expand, this piece of work to encompass a more wide-ranging and strategic look to the future. Consideration will include issues covered in the recently published independent review - Facing the Future – which was commissioned by DCLG, as well as matters of interest to Scotland, Wales and Northern Ireland.
6. Accordingly the NJC has decided not to conclude this work in June but rather to continue with this piece of work in the wider context set out above.

7. Pay award 2013 – agreement has also been reached to apply a 1% across the board increase to basic pay and to continual professional development payments with effect from 1 July 2013. In agreeing this position members of the Employers' Side were mindful of a number of issues including:
- 7.1 comparative pay settlement information including that for local authority employees (1% offer, incremental pay increases still available, no employee pension contribution increases);
  - 7.2 median and lower quartile pay settlement levels for the whole economy;
  - 7.3 RPI, CPI and CPIH figures and predicted trends;
  - 7.4 Government and devolved administration public sector pay policies (in particular statements made by the Chancellor);
  - 7.5 fire authority budget planning expectations;
  - 7.6 the effect of pension scheme reform, in particular the second year of increased employee pension contributions (1.2%);
  - 7.7 the recommendation of its body of professional advisers (the Advisory Forum); and
  - 7.8 the positive approach taken by the Employees' Side in discussion around a number of NJC issues including amendment of car mileage rates and importantly the wider strategic discussions that are taking place, which will now include consideration of issues e.g. such as those raised in the *Facing the Future* review (commissioned by DCLG).

### **Industrial relations training**

8. The NJC's Joint Secretariat can work with an FRS's management team and lead union representatives to explore the local industrial relations relationship, identifying what works well and what needs to be improved upon (utilising the framework of the NJC's Joint Protocol on Good Industrial Relations). Since the last report we have worked with two FRSs. The feedback from both parties at each FRS has been that the session was very helpful and constructive. They are confident that the commitments jointly identified as part of the session will assist them in putting in place a more effective relationship.

**Other issues**

**Compensation Regulations**

9. Members will be aware that, at the request of fire authorities, the National Employers approached the Department for Communities and Local Government (DCLG) some time ago with a view to securing the same flexibility to enhance redundancy payments for fire authority uniformed (Grey Book) employees as it has for support (Green Book) employees. Control staff are not affected. Progress had been slow despite persistent contact with DCLG.
10. We also raised the matter with Sir Ken Knight as part of his preparatory work on the *Facing the Future* review and were pleased to see his support for such a position in the final report. It is expected that this matter will now be progressed.

**Pension Scheme Reform**

11. Members will be aware that the Fire Brigades Union has registered a trade dispute with Ministers in respect of the reform proposals. This arose from a conference resolution and we understand that conference suggested a short period of 14 days for progress to be identified failing which a ballot of its members seeking support for industrial action should commence. Progress, of course, does not necessarily have to be measured against securing an outcome on the 7 points of dispute within such a timescale. But FRAs will wish to be prepared for any eventuality given that 14-day period is drawing to a close.
12. We have prepared guidance for FRAs on pay issues connected to industrial action as they relate specifically to employees covered by the National Joint Council Scheme of Conditions of Service (Grey Book).
13. Should there be an FBU decision to ballot for industrial action:
  - i. Employing FRAs must be given at least 7 days' notice by the union of the intention to ballot
  - ii. The duration of the ballot process is a matter for the union and would usually be in the region of 2/3 weeks
  - iii. If the ballot results in a yes vote, action must commence within four weeks from the close of the ballot (or such longer period not exceeding eight weeks as the union and employer may agree)
  - iv. Within the period at (iii) 7 days' notice must be provided to the employing FRA before industrial action can begin.
14. Further general advice in respect of industrial action can be found on our website:  
[http://www.local.gov.uk/web/guest/employment-relations/-/journal\\_content/56/10171/3510449/ARTICLE-TEMPLATE](http://www.local.gov.uk/web/guest/employment-relations/-/journal_content/56/10171/3510449/ARTICLE-TEMPLATE)