

Workforce Report

Purpose

To update the Fire Commission on matters in relation to fire service industrial relations and pension matters

Summary

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

Recommendation

The Commission are asked to note the issues set out in the paper.

Action

Officers to action as appropriate.

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PENSIONS

Scheme Advisory Board

1. The next Scheme Advisory Board (SAB) meeting is 30th November 2016.
2. In order to discharge its statutory functions, the work plan of the Scheme Advisory Board is to: improve scheme administration; ensure cost effectiveness of scheme administration; advise on how to reduce of costs of scheme administration; support local pension boards; advise local pension boards; and strategically lead Fire Pension Scheme communications.
3. Cllr Roger Price has replaced Cllr Jeremy Hilton and has been appointed by the Home Secretary. Cllr John Bell will replace Cllr Maurice Heaster once appointed by the Secretary of State. This keeps the political balance of the board.
4. The Minister has approved the Scheme Advisory Board budget at a total cost of £136,062.50. In setting this budget the objective of the SAB is to look for cost savings to Fire and Rescue Authorities (FRAs) and an improved service to members by reducing duplication and undertaking guidance and communications centrally.
5. The budget will be levied on FRAs to pay for the work of the Scheme Advisory Board. The process for distributing this amount across FRAs, using bands based on active membership numbers will be managed by LGA.

Contributions Holiday

6. The regulations to introduce a contributions holiday for employees have now been laid and came into force on 30 September 2016.
7. The contribution holiday applies to employees only, employers must continue to pay employer contributions. It applies to members of the 1992 Firefighters' Pension Scheme who accrue the maximum 30 years' pensionable service prior to age 50. Members who have already been compulsorily transferred into the 2015 scheme or will moved into the 2015 scheme before age 50 with 30 years' service do not qualify.
8. Under the retrospective application of the regulations, a refund may also be payable to anyone who was active on 1st December 2006 and between then and 29th September 2016 have paid contributions after reaching 30 years' service but under the age of 50.
9. Government will provide the necessary funds to FRAs to enable the refund payments

KEY WIDER WORKFORCE ISSUES

Broadening the role of the firefighter

10. Members will recall the work being undertaken through the National Joint Council (NJC). Current work includes:
 - 10.1. 39 FRAs are undertaking 37 trials focused on co-responding and/or wider community well-being work. The trials do not have to rely upon use of volunteers given the matter

of the rolemap has been set aside for the duration of the trials. The over-arching trial period has now been extended to the end of February 2017. A team led by the University of Hertfordshire has been commissioned to undertake an external evaluation.

- 10.2. Substantial progress on Marauding Terrorist Firearms Attacks matters relating to health and safety issues. Work is also underway with the Home Office to clarify expectations and to progress a number of related issues.
- 10.3. Guidance is being developed on welfare arrangements when working at major incidents outside of an individual's home service.
- 10.4. Renewed contact has been made with Ministers with responsibility for fire service issues in England, Wales, Scotland and Northern Ireland.

Inclusive Fire Service Group

11. This group is NJC-led and also includes representation from the Chief Fire Officers Association the Fire Officers Association and the Retained Firefighters Union.
12. The group has issued guidance on the personal use of social media and is developing national guidance on data collection, recording and monitoring. In the future a periodic national monitoring exercise will be undertaken to measure improvement and if necessary provide further support and guidance.
13. The group is continuing its work on improvement strategies relating to the recruitment and retention of female and black and minority ethnic (BME) employees; career progression of female and BME employees, bullying and harassment; senior management commitment to improvement, levels of female and BME uniformed employees grievance/discipline cases. Next steps in the work programme include:
 - 13.1. A number of focus groups to be followed by a survey of employees drawn from female and BME backgrounds on their experiences of working within the fire service across the UK including does it feel like an inclusive place to work (what works well, suggestions for improvement) recruitment and retention; whether cultural issues such as bullying, harassment and the apparent lack of career progression are affecting both areas.
 - 13.2. A workshop drawing upon the expertise of Equality and Diversity leads within services from both management and union perspectives.
 - 13.3. A workshop with senior fire service managers, to secure commitment to support and improvement.

Employment Tribunal cases

14. The long-running Part-time Workers (Prevention of Less Favourable Treatment) Regulations settlement process is finally drawing to a close. We will shortly be able to assess the over-arching settlement cost and take forward the matter of potential appeal to HMRC on its

decision that tax and national insurance contributions were required on settlement payments. We have reached a collective agreement with the Fire Brigades Union which would ensure that, should such an appeal be successful, the monies would be returned to FRAs.

15. We are currently working on behalf of all FRAs with Bevan Brittan and Adrian Lynch QC in preparation for the main hearing on the substantive issues relating to the Pension scheme transitional protections, which is listed for the 9th to the 25th January 2017. Current issues are disclosure and potential witnesses.