



FIRE BRIGADES UNION

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TO: ALL MEMBERS

Dear Brother/Sister,

PENSIONS: DELAY AFTER DELAY - THE LONG WAIT FOR A RESPONSE FROM DCLG

The Executive Council yesterday discussed the ongoing pension dispute. There is understandable frustration across the union at the numerous delays from DCLG in announcing whether they are in a position to provide revised proposals on pensions or not.

Pension regulations

The next stage of the government process is to lay draft regulations before Parliament. FBU officials have already discussed with the FBU Parliamentary group what steps can be taken in Parliament to oppose the government at this stage. At that point in the process, FBU members may be asked again to contact local MPs for support on this issue. Further information and advice will follow.

We have also made it very clear previously to all members, to local FRAs and to the government that the laying of regulations does not in any way end our trade dispute or remove our ability to take lawful industrial action. We have set out from the start of our campaign that this battle may need to continue up to the general election - and beyond.

Groundhog Day: Delays in the process

It is clear that there are time pressures on DCLG to make progress in introducing the regulations for new pension schemes across the public sector. The original plan for this within DCLG was to start the process by mid-August. This was then changed to the week commencing 8 September. It was then changed to week commencing 13 October. Then changed again to week commencing 20 October. Late last week, it was changed yet again to week commencing 27 October. By any measure this is an embarrassing number of delays for a Minister who assured firefighters in an open letter that the discussion would be concluded by 8 September. Even so, DCLG has verbally informed us that they are still not sure when within that week they are likely to be in a position to lay the regulations. Nevertheless, it does appear that a response will finally be forthcoming from Penny Mordaunt within the next week.

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Groundhog Day: Delays in the process/Cont....

These delays are extremely frustrating for all FBU members. However, the delays appear to reflect some disarray on the part of DCLG. FBU members are aware that we have considered various legal challenges and are actively pursuing one such challenge at present. In response, lawyers acting for the Secretary of State have argued that any legal action at this stage would be premature, as no final decision has been made by government on the issue under (legal) dispute. Clearly, once any regulation is laid, such an argument could not be maintained any longer and the legal action could commence. It is not clear what steps the government will take next, but it **does** seem clear that the threat of this particular legal action has caused a great deal of debate within government and dialogue between DCLG and HM Treasury.

Next steps from DCLG

FBU officials are currently arranging a further meeting with Penny Mordaunt, and plans are in place for the Executive Council to meet again next week. In view of the excessive delays already and the pressure on DCLG to make progress on introducing new pension regulations, it appears likely that this next meeting will finally provide some answers as to what DCLG have actually been doing (or not doing) for the past month. Nevertheless, we do not know precisely what will be said at this next meeting. The Executive Council identified three broad possibilities:-

1. An announcement of yet another delay. (This outcome is possibly less likely due to the pressure on DCLG to conclude the process and due to the numerous delays already made).
2. An announcement that there are revised proposals which they now intend to implement. (This could be done a variety of ways and some would clearly be more favourable to FBU members than others).
3. An announcement that the proposals as currently set out are to be implemented without amendment.

Penny Mordaunt has stated clearly to FBU negotiators and to firefighters (through her open letters) that she has been reconsidering the issues under dispute. She stated that additional work needed to be done and discussion needed to be had with other parts of government. She originally claimed this should all be concluded by 8 September. Then in a letter of 8 September she stated that her goal *"is to get the best deal possible for firefighters and to resolve this dispute"*. Those words clearly suggest that the best possible deal is **not the deal currently proposed** (i.e. that to resolve the dispute would need different proposals). No doubt many FBU members welcomed these words which seemed to suggest the possibility of a way forward. Nevertheless, we have been clear that there is no guarantee that any revised proposals will be made. So the question remains whether she will or will not present different proposals at the next meeting. This will also mean that the Minister and her team will need to have discussed and concluded discussions with others in government - especially HM Treasury.

3.

The Executive Council is clear that we need to prepare for each eventuality. This inevitably includes the possibility for further strike action. While we hope this is avoidable, members are nevertheless urged to be prepared for *all* the possible outcomes following our next meeting with Penny Mordaunt and our assessment of that at the next meeting of the Executive Council.

Best wishes.

Yours fraternally,

A handwritten signature in black ink, appearing to read 'M. Wrack', with a stylized flourish at the end.

MATT WRACK
General Secretary

MW/jh