The Fire Brigades Union

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Established 1918

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11th November 2014

TO: **ALL MEMBERS**

Dear Brother/Sister,

RESPONSE TO OPEN LETTER FROM FIRE MINISTER

The DCLG Fire Minister Penny Mordaunt has written yet another open letter (7 November) to firefighters. Once again this letter contains a number of misleading and faulty statements.

Again we have therefore provided below detailed answers to all points the minister has raised.

PM: Dear Firefighter,

Update following Industrial Action

Since I last wrote to you, we have had four days of strike action in England. I deeply regret the Fire Brigade's Union calling for this as I know that the overwhelming majority of you wish to get back to stability in your fire and rescue service and loathe stepping down from providing the cover for the communities you serve.

> *FBU: Firefighters have made it quite clear that our aim is to get a negotiated settlement to this dispute and we are moving towards it in other parts of the UK but DCLG have simply closed the negotiations down and said that there is no more on offer. This has left very few options available.*

PM: Industrial action has been counterproductive and this last period of strikes has meant a considerable amount of pay lost for firefighters in the approach to Christmas.

> *FBU: Again DCLG is clearly to blame for this. We continue to be reasonable and to attempt to get improvements through negotiations. We took a conscious decision not to include Welsh firefighters in this round of strike action as the Welsh government has now indicated that they will be able to deviate from the DCLG proposals and have suggested some areas of improvement which are being*

explored. They now intend to consult publicly on proposals which will improve the reduction firefighters face if taking a pension before the age of 60.

PM: I hope you have been able to work out via you fire and rescue authority and the materials provided by DCLG, what the pension changes mean to you personally. If there are further questions or issues you have about the scheme, the fitness protections or your own personal circumstances then I would encourage you to raise it with your Chief Fire Officer, or my office.

I have been asked to provide some further information about the different schemes in the four nations by your Chief Fire Officers which I have done, and to confirm that benefits earned in existing schemes are fully protected and can be taken in full at the age they were expected to be taken, with no actuarial reduction applied. I attach a grid explaining the differences in each nation which I hope is helpful.

FBU: This grid is extremely biased, misleading and does not show the true picture whatsoever. FBU comments have therefore been included on this to provide a more balanced view.

PM: The consultation on changes to the statutory Fire and Rescue National Framework has started and will add principles that fire and rescue authorities must have regard to when setting their local fitness procedures.

FBU: We have consistently raised a concern with this approach. We have asked for a guarantee that firefighters won't be sacked for failing fitness tests as they get older. This guarantee could be provided through a regulation in pension scheme - as has been done in Scotland. DCLG are trying to suggest that they can provide such a guarantee through the National Framework. Our legal advisors have made it clear that this route does ***not*** *provide the guarantee as it simply provides guidance to fire authorities whereas a regulation makes the process mandatory. The wording in the paragraph above supports our claim. It states that the FRAs must 'have regard' to the principles. This simply means they have to consider them but allows a discretion to act differently. This paragraph also suggests FRAs will be able to set their own fitness standards whereas our key concern is that there must be a consistent occupationally based safe fitness standard that reflects the role.*

PM: These principles have been designed to ensure that firefighters are supported in working to 60 and are not dismissed simply for failing a fitness test with no access to a pension.

FBU- This is carefully worded to say that a firefighter won't be dismissed without access to a pension but the point we have made is that this person who is failing fitness tests, despite their best attempts, simply as a result of ageing should get access to an unreduced pension. The proposed position still means a significant reduction in these cases of 21.8%.

PM: The proposals include a review to check that authorities are implementing procedures in line with the principles and Peter Holland, the Chief Fire and Rescue Adviser, will be facilitating a working party with the employers and your representative bodies to identify good practice. It should be remembered that, because of the protections I have agreed, it will not be until 2022 that the first people on the pre-2006 schemes will have to start working beyond 55.

FBU: The protections outlined have not been agreed they have been imposed and are not sufficient to stop firefighters over 55 facing the sack. It is insulting and misleading for the Minister to suggest that because the problem doesn't surface until 2022 that it is any less problematic. We are committed to seeking improved transitional protection and a pension scheme for the future that is fit for purpose in the long term and not just for the first 7 years until 2022. It seems that the fire Minister's remedy is simply to bury her head in the sand and hope the problem goes away – or leave it to her successors.

PM: I had a very useful meeting with the leadership team from Women in the Fire Service. I was very interested to hear from them on the issues women face, and the ways in which they can be tackled. I will be meeting with them on a regular basis. I was reminded in preparing myself for the meeting as to how under-represented women are. I think we can do more – particularly in encouraging women to join the retained, where there are vacancies across the country.

FBU: Members of the FBU national women's committee met with the Minister and raised several key concerns in relation to the current proposals. Some were generic while some were more specific to women firefighters. Despite giving an indication that she would be considering the points raised the proposals were not amended in the slightest and the concerns were completely ignored.

It is an insult to mention how under-represented women are in the fire service in one breath and then to impose proposals that will disproportionately impact upon women in the next. The Williams' report recognised this as a significant concern. It remains unaddressed.

The Minister is suggesting that the only way to get around the under-representation of women the fire service is to mask the real problem by encouraging them to become retained firefighters. She appears to be suggesting that women should not seek careers as wholetime firefighters. In any case, for those seeking a full career, the problem of age related fitness decline is the same for wholetime and retained firefighters.

Instead of addressing the real issues raised the minister is once again burying her head in the sand and hoping it will go away – or leaving it for others to deal with.

The Minister writes 'I think we can do more' – we agree.

PM: Finally I would like to thank all those who worked over the strike period, those supporting contingency arrangements, support staff, those who came back to work during the strike period and those who broke the picket line to assist. Your actions are much appreciated by the communities you serve.

FBU: Firefighters who are trying to protect their pensions and the professional fire service will be angered by this. The public recognise that expecting firefighters to fight fires and rescue people age 60 is ludicrous and dangerous. The people who are really supporting their communities are those who are fighting to maintain a professional effective fire service. Regrettably this has

necessarily involved taking strike action as a result of the DCLG refusal to take account of the evidence.

Our service is being undermined by DCLG refusing to recognise that their proposals are unworkable and utterly lacking in any supporting evidence. The people who are providing the contingency arrangements are simply assisting these ludicrous proposals to be imposed.

The FBU remains ready to consider any improved proposal and maintains that the ball is firmly in the minister and DCLG's court.

Yours fraternally,



MATT WRACK
GENERAL SECRETARY

SS/EMH