



The Fire Brigades Union

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TO: ALL MEMBERS

Dear Brother / Sister

NHS AND AMBULANCE STRIKE: SUPPORT THE STRIKERS

Non-participation in Co-Responding activities by FBU members

This circular repeats the advice and policy set out in relation to the last period of industrial action which took place in October 2014 and was issued by circular at the time.

FBU members will be aware that on 29 January our brothers and sisters in the trade unions in the NHS will be taking strike action in protest over pay and the refusal of NHS employers to even provide an increase across the board of 1%. 60% of NHS staff will currently receive no pay rise at all for 2014. I am sure members will want to show their support and solidarity.

There is an important aspect which I wish to specifically address, and that is the further strike action by ambulance workers. We are aware that ambulance unions have previously discussed the action with local employers and that in most regions, agreement has been reached with ambulance trusts in respect of emergency cover by ambulance personnel during the strike period. It was expected that these arrangements would be in place across the country in due course.

It is imperative that FBU members and other Fire and Rescue Service staff do not take any steps that are likely to jeopardise these agreements. We understand that a small number of Fire and Rescue Services have suggested that firefighters should engage in activity such as co-responding and other medical service functions during the strike period. Indeed, there has been increased pressure on the issue in a number of Fire and Rescue Services in recent weeks. Such steps by Fire and Rescue Services are not helpful or professional; they are highly provocative and should not be implemented by FBU members.

Members will be aware that co-responding is not a contractual obligation on firefighters. The question has been considered in the courts, where it was decisively found that Fire and Rescue Services cannot require firefighters to carry out co-responding. All members should therefore not carry out any instruction from their Fire and Rescue Service to carry out co-responding duties. Any member who faces any threats of disciplinary action or other sanction by their employer for refusing to do so will receive the full backing of the union. It would be madness for any Fire and Rescue Service to be marched into court to be humiliated yet again on this matter.

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Fire and Rescue Services are not just jeopardising the agreements reached between the ambulance unions and ambulance trusts - they are potentially leaving FRS and personnel and Fire and Rescue Authorities liable in the event of legal action by a patient or their dependents should they believe that the actions of the Fire and Rescue Service was causal or contributory to a poor recovery by the patient or worse.

FBU members will be mindful of the criminal prosecution brought against firefighters in Warwickshire. Moreover, you will be aware that in respect of Marlie Farm, the East Sussex Fire and Rescue Authority argued in the courts that it has no duty of care once crews have been mobilised. The East Sussex Chief Fire Officer claimed that that legal stance was the result of the insistence of the Authority's insurer - Zurich Municipal. Zurich Municipal is the insurer for 31 of the Fire and Rescue Services in England.

Finally I would like to encourage off-duty firefighters to attend picket lines to express solidarity as so many trade unionists have been doing during our periods of strike action.

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/sll